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Speeches in the General Aſſembly of the Church of Scotland, May 25. 1779.

AFter reading the overtures from the ſynods of Glaſgow and Air, &c. [279.], the debate was opened by the *Rev. Mr Thomſon at Sanquhar*. He inſiſted on the abſolute neceſſity of this Aſſembly taking the ſteps propoſed in the overtures, in order to quiet the minds of the people. He alledged, the conduct of laſt Aſſembly, in throwing out a ſimilar propoſal [40.270.], had been productive of very bad conſequences, as it had given the people a jealouſy and diſtruſt of their miniſters, as if they were lukewarm and indifferent in the cauſe of religion. Yet for the conduct of laſt Aſſembly he thought there was ſome apology, as they were aſſured by a Rt Hon. member, that the bill then depending in parliament did not extend to Scotland, and all that was intended by it, was only to relieve Roman-Catholics from civil penalties. How far this account he then gave the Aſſembly was true, the event had ſhewn.

Mr Thomſon ſaid, he could not figure to himſelf any arguments that could be uſed againſt the meaſures propoſed in the overtures, unleſs the following: 1. That the introduction of Popery would be attended with no bad conſequences; 2. That the repeal of the penal ſtatutes would not contribute to the growth of Popery; 3. That this Aſſembly went out of their ſphere, when they preſumed to interfere or meddle with matters of legiſlation.

As to the *firſt* of theſe, he could never be of opinion, that the introduction of Popery would be attended with no bad conſequences, when he conſidered her doctrines as Antichriſtian, her worſhip as ſuperſtitious and idolatrous, and that the head of that church aſſumed a power of diſpenſing with oaths, and all moral obligations; ſo that, if there was nothing more in Popery but the ſlaviſh ſubmiſſion which it taught the people to pay to their prieſts in all religious matters, it was highly dangerous in a free ſtate, as, by inuring the people to ſlaviſh principles and ideas in ſpiritual things, they were gradually fitted and prepared to ſubmit to the moſt deſpotic ſway in temporal matters, and even to become fit tools and inſtruments in the hands of an ambitious and aſpiring prince, to introduce an arbitrary or deſpotic form of government. As to the *ſecond* argument, That the repeal of the penal laws would not contribute to the growth of Popery; gentlemen who argued in this manner might, in his opinion, as well maintain, that removing the legal barriers againſt any crime, would not pave the way to the more frequent commiſſion of it. And as to the *laſt* argument, That it was officious and intermeddling in the clergy to interfere with a decree of the legiſlature; we ſhould view ourſelves in two different capacities, as members of ſociety, and as guardians of the religious intereſts of the people committed to our care. Even in the firſt of theſe characters, we poſſeſſed, in common with every Britiſh ſubject, a title to remonſtrate and complain when our rights were attacked, or in danger; and, in the laſt character, it was indiſpenſably our duty to watch over the religious intereſts of the people committed to our care. If they found the Aſſembly diſpoſed to do ſo, by appointing ſuch a committee as was propoſed by the overtures, our people's minds would be quieted, and they would repoſe perfect confidence in the attention of that committee to their intereſts: but if this was refuſed, jealouſy and diſtruſt would take place, and they would have recourſe again to the ſame irregular and unconſtitutional mode of oppoſition as we have lately beheld with ſo much regret.

Rev. Dr Anderſon at Chirnſide. It is ſome ſatisfaction to find, that the debate to this day on the overtures may be conducted with ſome regard to the principles of religious toleration, which have ſo happily diſtinguiſhed the æra of the Reformation, a moſt diſtinguiſhed and eminent one. It had indeed no being or exiſtance in thoſe ages, when, Chriſtianity itſelf being perverted into groſs ſuperſtition, ſpiritual and civil Tyranny maintained her empire over the nations. It was then unpermitted to any to diſſent, or to differ in the leaſt, from the eſtabliſhed decrees of the church; and it was then, that awful decrees againſt hereſy made the conſciences of men, which God had ſubjected to no dominion but his own, tremble under the impoſed yoke. The dawn of the Reformation may be accounted a miracle indeed, when it availed to unhinge this yoke, and defied thoſe terrors. Its marvellous progreſs, however, in ſpite of all the power of its adverſaries, forced ſome intermiſſion of theſe ſeverities. Yet the church of Rome, though ſhaken to her centre, would not tolerate but by conſtraint. She knew, and learned, that the heaven-born principle would ſubvert all the carved works of her idolatrous ſanctuary.

What this nurſery of error would not admit, but declared execrable, the fathers of the Reformation inculcated, as a firſt dictate of Reaſon and Chriſtianity. They taught and unfolded this principle in all its advantageous lights. It was approved, as the unalienable right and privilege which God had given to the rational mind of man; and it was found to produce the moſt ſalutary and beneficial effects. As that was diffuſed, the rage of religious wars was repreſſed. Men, no longer compelled by the fear of torture, became voluntary and ſincere converts to pure religion and undefiled before God.

Whence then came penal ſtatutes in Proteſtant countries, with reſpect to religion? Strong neceſſity compelled them; becauſe the Proteſtants, in a human comparative view, were much the weaker party. The Popiſh powers combined in open leagues againſt them. They formed and encouraged ſecret plots and conſpiracies againſt their domeſtic peace; and their emiſſaries were often too ſucceſsful in diſturbing their tranquillity.

Hence aroſe, and were enacted, thoſe laws and penal ſtatutes againſt Popery, and Popiſh prieſts and miſſionaries, in the Britiſh kingdoms. They were, in their origin, purely defenſive, and by no means an adoption of the ſanguinary and perſecuting

perſecuting ſpirit of the church of Rome. They were, however, allowed to continue in force, and unrepealed, long after the grounds of their being enacted were, in a great meaſure, removed. The lenity and conſtitutional liberty of our government, as well as the mild ſpirit of our religion, ſuſpended all exerciſe of them; and, of late years, from their continued repreſſion, they came to be regarded as obſolete; and, in that view, in one part of the united kingdom they were lately cancelled by the legiſlature [40. 393.]. But it appears, from the combuſtion that has happened in this country, that many of our people had a different notion of theſe ſtatutes againſt Popery, or were eaſily induced to view them in another point of light: they ſeem to have conſidered them as acts equivalent to, or forming a part of the bill of rights, and as conſtitutional ſecurities for the Proteſtant religion; and hence the popular averſion to have them repealed.

Yet it appears manifeſt, that the reflecting part of the people were moved to this oppoſition from a perſuaſion of the inexpediency, and the dangerous conſequence of the repeal of thoſe old ſtatutes; and not from a denial and violation of the claims of conſcience, and a perſecuting or intolerant ſpirit. Almoſt all the warnings and advertiſements that have been publiſhed, diſclaimed any ſuch principle: ſo contradictory and repugnant to the Proteſtant faith and profeſſion was it found to hold any ſuch Antichriſtian doctrine, that, in the firſt eruption and fervour of zeal, it was diſavowed, and generally ſaid to be abhorred.

I ſhall not, therefore, animadvert on the procedure of the incenſed populace, which has been generally condemned; but remark their extravagant credulity, when they believed, not only that their civil governors were about to undermine or betray the intereſt of the Proteſtant religion, but that a party of the miniſters were diſpoſed to favour their deſign. How aſtoniſhing was the deluſion! and how could ſuch a hideous thought enter into their hearts, to imagine that any of the miniſters of this church would lend their aid to Popery, and think of ſhutting the wide gulph fixed betwixt us and the church of Rome! Though we are not the richeſt clergy in the Proteſtant world; though any of us ſhould be loſt to conſcience and to principle; yet frenzy and madneſs only could drive the meaneſt amongſt us to go a-begging after the party-coloured veſtments of Rome: her mitres are ſold at too high a price for the richeſt of us, as they are beſtowed on her home-bred ſons; and as for her tonſures, her callots, her cowls, and hoods, &c. no Preſbyterian miniſter has any taſte for them.

Yet all of us, I dare ſay, have, in the courſe of our ſermons, pointed out occaſionally the groſs errors of Popery, long before the preſent alarm was raiſed; and there are thoſe too among us, who, in the calm and tranquil ſeaſon, when arguments are beſt heard, have illuſtrated the æra of the Reformation, and Proteſtant principles, with ſignal applauſe. We are not then chargeable with deficiency, but have acted as faithful watchmen; watchmen who know, that to give a falſe alarm, is more culpable, than to ſleep on our poſt, or deſert it.

It is ſaid, that ſtill there is reaſon to fear that the Popiſh bill may be brought into parliament. We have heard of Wilkes's threats, and Burke's letter [135.]. Are theſe antagoniſts ſo worthy of the attention of the church of Scotland, ſo much to be dreaded by us, that the Aſſembly ſhould appoint a ſpecial committee to watch over their motions? Surely the ſatyr's ſneer would be redoubled in the features of Wilkes, if he heard you had paid him this regard. The rhetorician of the Houſe of Commons would collect all his tropes, and all his ſtudied periods, to announce you to the world as a gloomy, dark-minded, and fanatical clergy. But I further ſay, Sir, that, in the nature of the thing, we can receive no aſſurances againſt the Popiſh bill more ſatisfying than thoſe that have been given us; aſſurances, not reſpectable alone for being delivered from the throne; but, if poſſible, more ſo, from the candid, the pathetic, the truly affecting manner in which they were delivered to us. [278.]

I chuſe not to follow the firſt ſpeaker in the wide ground taken by him in the argument; but conclude with declaring it my opinion, that a ſtanding committee ought to be rejected, and the conſtitutional mode, of giving an extraordinary and ſpecial injunction to our commiſſion, be adopted in the form I ſhall read.

My motion then is, "That a ſpecial injunction be added to the inſtructions

of Commiſſions, to the following purpoſe: That the Commiſſions be particularly attentive to any future motions about the Popiſh bill, and, on proper information of an attempt to bring it into parliament, that the Commiſſion be ſummoned *pro re nata*; and, in a petition to parliament, repreſent the great alarm and diſcontent of the people about the repeal of the penal ſtatutes; and that they take under conſideration the procedure of the Commiſſions of preceding aſſemblies, in order to procure new erections of churches in the highlands, and adviſe thereupon; and to take all prudent, proper, and conſtitutional ſteps, for oppoſing the advance of Popery, and reſtraining all tumultuous commotions among the people."

Rev. Mr Colin Campbell at Renfrew. Moderator, As one of the overtures tranſmitted to the Venerable Aſſembly, and now lying upon the table before you, has been ſent from the ſynod of Glaſgow and Air, I think myſelf bound, by the reſpect I have for that numerous and reverend body, to appear in ſupport of it. I readily acknowledge, that there are various members from that ſynod here, who are much more fit for that purpoſe than I can pretend to be: but, in a caſe that is of ſo great and general importance, there muſt ſurely be room for the exertion of leſſer as well as greater abilities.

Sir, The bill intended to be brought into parliament for the relief of Roman-Catholics in Scotland, I beg leave to conſider in three different views: Firſt, As directly oppoſite and repugnant to the laws of this country, and particularly the claim of right, which is the great ſecurity of all our rights and privileges; — Again, As wearing a moſt unfriendly aſpect to religion and the morals of our people; —And then, As the natural conſequence of theſe, I ſhall point out the part that is proper for us to act as the guardians of our people's religious rights and privileges.

1ſt, I ſay, I ſhall conſider it as a matter of law. And no ſooner do I view it in this light, than every reſtraint formerly laid upon Papiſts, ſeems to me virtually abrogated, or, if not ſo, gone into deſuetude, and can receive no effect from the executive power.

To begin with that clauſe which relieves from every kind of reward to informers againſt Papiſts or Jeſuits, and ſubjects to no definitive penalty, even when information is given; this is an indulgence, the ſame with reſtoring them to the free, ſecure, and undiſturbed exerciſe of their religion. For where no reward is to be obtained for informing, there the informer will neceſſarily ceaſe; or, if pique and reſentment ſhould provoke to inform, they can avail but little, as no definitive penalty will follow. And who ſees not the conſequence of ſuch a toleration? How ready will trafficking prieſts be to uſe every art of flattery, terror, and intereſt, to pervert Proteſtants to the errors of Popery? The free exerciſe of their religion takes in alſo the uſe of their religious books, which, without all doubt, they will be ready to diſtribute to their neighbours, inſtruct them in the knowledge of them, and recommend them with all poſſible warmth and earneſtneſs.

But not only is the clauſe I have mentioned contrary to the ſpirit of the law, but alſo to the letter of it, which confers a reward of 500 merks upon any perſon apprehending and ſeizing a Jeſuit or trafficking prieſt, ſo as to have them convicted; alſo to that ſtatute which ordains, that whoever debauches any of his Majeſty's Proteſtant ſubjects to the errors of Popery, ſhall be puniſhed as a trafficking prieſt. Theſe ſtatutes were enacted in 1696 and 1700.

Again, by another clauſe in this bill, the diſabilities are taken off perſons profeſſing the Popiſh religion, to inherit, or take by deſcent, any eſtate or inheritance belonging to their predeceſſors: and, on the other hand, it provides them with liberty to buy and purchaſe lands or eſtates as openly as the beſt affected Proteſtant ſubjects in the kingdom. Now, how abſurd and injurious the conſequence that muſt follow ſuch a permiſſion! In this caſe, the heir, however perverted, or however debauched by trafficking prieſts, will continue to poſſeſs the natural intereſt and influence of the family; and, if influence follows property, the more extended his property, the greater his influence; which, partly from his own inclination, and partly through the influence of thoſe who adviſe him, he will be ſure to uſe for the ſupport of his own religious views, and for the ſuppreſſion of views which are contrary to them. Though his property cannot intitle him to a ſeat in parliament, it will certainly give him influence in the election

election of thoſe who are the members of it.

But, to conclude this part of the argument, allow me, Moderator, to obſerve, that the bill which gave occaſion to this overture, provides moſt liberally for the Roman-Catholics, in not only allowing them property and influence equal with the Proteſtants in the preſent age, but ſecures to them an influence over riſing and ſucceeding generations, in as much as it permits them to take upon them the education and government of youth. How contrary this to the ſtatutes 1609, 1661, and 1700, by which the wiſdom of our forefathers provided, that the education of the children of Popiſh parents ſhould be carried on under the direction of Proteſtant relations; and to that purpoſe enjoined all the children of noblemen and gentlemen who were abroad, and in danger of becoming Papiſts, to return, and have their education conducted at home?

Alſo, how contrary this clauſe to the ſtatute that enacts a fine of 500 merks, to be paid by any one ſuſpected of Popery, who refuſes to purge himſelf, who takes upon him the education and government of youth; and enacts, that a fine of at leaſt 1000 merks ſhall be paid by any one who preſumes to employ ſuch a perſon? Now, as theſe laws were all made for the preſervation of the religious rights and privileges of this part of the united kingdom, and for our protection from people who grudged us the enjoyment of them, is it not natural for us to like to keep them unrepealed? Will any man who is not born with a halter about his neck, chuſe to be in the reverence of perſons who would oppreſs him? Whatever different ſentiments we have about the Americans, and their preſent behaviour towards government, we all agree in theory, that it is natural for every man to be independent if he can: and why ſhould we run the riſk of a dependence upon men whoſe very principles incline them to perſecute and deſtroy?

But that brings me to a *ſecond* view of this matter; namely, As wearing an unfriendly aſpect to religion, and the morals of the people. And here two things concur to give it ſuch an unfavourable aſpect: one is, the infidelity, and the other, impiety, of the preſent age. Of all kinds of religion Popery is the moſt convenient for an infidel, in as much as it exhibits religion in ſo abſurd a view, that there is ſcarce any perſon who will not think himſelf juſtified in rejecting it. It dreſſes religion in a fool's coat, brings it nigh the door, and then it is eaſy to kick it out. And again, the impious man, if poſſeſſed of moderate and limited abilities, will very naturally lay hold of this religion, as a way of being ſaved after a life of iniquity, and the moſt ready to put to ſilence his half-ſtifled conſcience.

From all and every one of theſe conſiderations, I am humbly of opinion, that the Venerable Aſſembly are bound in conſcience to declare their oppoſition to a ſyſtem of ſo much error and iniquity; and the rather, that it is ſo much the wiſh and the deſire of our people, eſpecially the ſerious part of them, whoſe hearts tremble for the Ark of God. Our Gracious Sovereign has given us an example of ſtooping to ſatisfy the minds of the people, by the full aſſurances he has given the Aſſembly, by his High Commiſſioner, from the throne, that this bill is laid aſide.

Rev. Mr Liſton of Aberdour. How far the great principles of toleration ſhould be extended, is a queſtion of the utmoſt importance. If too great indulgence is granted to Popery, there is danger to be apprehended, both to the Proteſtant religion, and our civil conſtitution: if too great ſeverity is maintained towards its profeſſors, there is danger of our violating thereby the great rights of human nature.

The right of private judgement, and of liberty of conſcience, is one of the moſt ſacred and eſſential rights of man: no leſs ſacred and eſſential is the right of ſelf-preſervation, the title we all have of guarding and preſerving ſafe our religion, our liberties, and our lives.

To give you my views in this matter, I imagine there are three diſtinct queſtions to be conſidered: 1. Whether Popery ought to be admitted to a full and unlimited toleration in theſe kingdoms? 2. Whether any alteration ſhould be made in the preſent laws againſt Popery? and, 3. Whether a bill of the like nature with that which hath paſſed for England, ought to be extended to Scotland?

1. Whether Popery ought to be admitted to a full and unlimited toleration in theſe kingdoms? I am very clear that it ought not. If Popery were merely a religious

religious ſyſtem, it would be intitled to all the benefit of the moſt extenſive toleration. The rights of conſcience are ſacred and unalienable. Every man muſt think for himſelf; and no ſtate hath right to deprive him of his religious liberty, or to puniſh him for ſerving God according to his conſcience. In theſe things Chriſtians acknowledge none but one as their maſter, even Chriſt. The Apoſtles of our Lord claimed not to have dominion over the faith of Chriſtians, but were only helpers of their joy; and if any ſtate were to enforce the public faith upon the conſciences of individuals, it would not only act iniquitouſly, but to no good purpoſe: it might well make men hypocrites, it would never make them true believers; for men can believe only as things appear to their own apprehenſions, not as they appear to the underſtandings of others; and it is evident that bonds and impriſonments can never enlighten the conſcience, nor convince the mind. If Popery, then, were only a ſyſtem of religious doctrines, however erroneous, it would be intitled to all the benefit of a full and unlimited toleration; for no man is to be ſubjected to any kinds or degrees of civil penalties merely on account of his religious opinions. But Popery is not merely a corrupt and erroneous ſyſtem of doctrines; it is a moſt dangerous combination againſt all the moſt ſacred rights and intereſts of man. Beſides thoſe peculiar tenets which ſhake the foundations of ſociety, which aſſume a ſupremacy over the civil powers, and which free its votaries from the obligations both of civil and of divine authority, by maintaining this very principle, That error and hereſy is to be extirpated by violence, it ſhuts itſelf out from the full benefits of toleration, and obliges us, on the principles of ſelf-preſervation, to ſtand on our guard againſt men whoſe tenets lead down to the chambers of blood. I hold, then, that Popery, being a dangerous conſpiracy for the extirpation of all who oppoſe her ſuperſtitions, is juſtly excluded from the full privileges of that toleration which other ſorts of diſſenters or heretics are intitled to.

2. A ſecond queſtion is, Whether any alteration ſhould be made in the laws againſt Popery?

And here I will declare, that if there are any kingdoms on the earth where laws are in force which cannot be executed without ſhocking all our ideas of humanity and equity, theſe laws ought to be repealed. In Popiſh countries, ſuch laws are a reproach to human nature. In Proteſtant countries, ſuch laws brand with infamy the pureſt form of the Chriſtian faith. There ought not, in a wiſe and well-regulated ſtate, any laws to be endured but ſuch as the voice of reaſon and juſtice approves, and the hand of nature can carry into execution.

It is to no purpoſe to alledge, that theſe laws are kept only *in terrorem*. Men are not to be treated as children. And even the rod which the child knows is never uſed, ceaſes to be a terror: to make it feared, it muſt be ſometimes applied, and never ſpared when there is occaſion for it. Laws, therefore, which are not executed, can have little *terror* in them. At the ſame time there is no *ſecurity* againſt them. Man ſhould know on what grounds he ſtands. The law ought to mark out preciſely where he is in ſafety, and where his danger begins. But to have no other ſecurity but the humanity of the times, is to live at mercy, and not under law. Lord Bacon obſerves, that "certainty is ſo eſſential to a law, that a law without it cannot be juſt; *for if the trumpet gives an uncertain ſound, who ſhall prepare himſelf to the battle?*" But if a law hath an uncertain execution, men are as unſafe as if it had an uncertain ſenſe. "A law, therefore, (he ſays), ought to give warning before it ſtrikes; and it is a true maxim, That the beſt law leaves leaſt to the breaſt of the judge." Again he obſerves, that "the Prophet ſays, *It ſhall rain ſnares upon them*; but there are no worſe ſnares than the ſnares of laws, eſpecially the penal, which growing exceſſive in number, and uſeleſs through time, prove not a lantern, but nets to the feet."

It was ſaid, That ſuch laws not being executed, there is no hardſhip; no evil flows from their ſtanding as they are. But, beſides the hardſhip of living at mercy, it is not ſo that no evil flows from theſe laws; for though they be not executed againſt Papiſts, yet by theſe men being excepted out of the act of toleration, they have no legal conſideration or capacity in the kingdom; and a thouſand conſequences follow from thence of a very hard and diſtreſſing nature. The law knows no ſuch perſons; they cannot ſue, nor take by deviſe, nor execute any truſt of tutory or curatory; beſides the particular

particular incapacities by ſtatute, of ſelling, purchaſing, or inheriting. I am, therefore, fully of opinion, that all laws which ought not to be carried into effect, ought not to continue in force; and that we ought to guard ourſelves againſt the danger of Popery, by ſuch wiſe and humane laws as might, and ſhould, be ſtrictly executed upon every the leaſt violation of them.

3. The laſt thing to be conſidered is, Whether a bill of the like nature with that which hath paſſed in England, ought to be extended to Scotland? And here I own, that, from the firſt moment that I ſaw the Engliſh bill, I was alarmed at the conſequences of an extenſion of it. We all know what a deep and faſt hold the prepoſſeſſions of education take of the human mind. They are hardly ever to be eraſed, becauſe men cannot endure to hear or to examine any thing that can be advanced againſt them. This is, in a particular manner, the caſe with all religious prepoſſeſſions; the mind avoids every thing that is contrary to them, as ſomething that is impious, and dangerous to their great and eternal intereſts: and unleſs men can be brought to look upon the truth, and examine it, they can neither perceive its excellence, nor the deformity of thoſe errors they may have imbibed in their youth.

I need not take notice here, how aſſiduous thoſe that are at under in any ſociety are to make proſelytes, and to bring themſelves and their maxims into repute and conſideration. I need not obſerve, that the only ſure way of propagating ſuch notions as cannot bear the light, or ſtand the teſt of reaſon and examination, is by ſowing them in the early ſeaſon of youth, and giving them the firſt poſſeſſion of the mind. I would only obſerve, that the education of youth is a truſt of ſuch importance, that, upon the ſame principle that Popiſh prieſts are authoriſed to diſcharge this office, they may be equally admitted to every office and place of truſt whatever in government. To form the minds of men is a truſt of more importance than to direct the formation of roads: why may they not then, by an act of parliament, be nominated among his Majeſty's juſtices of peace? It is of more importance to eſtabliſh in the mind the great principles of what is right and juſt, than to enact laws for the preſervation of our rights, or to execute them upon the tranſgreſſors of them. Upon the ſame grounds, then, that they are intruſted with the education of youth, they may be ſeated upon our benches of juſtice, and returned members of parliament from our counties. I think our great ſafety againſt the prevalence of Popery is, by keeping them out of all offices and places of truſt whatever; and, out of this office and truſt, in the firſt inſtance, the charge of educating the riſing generation. For that reaſon, I ſhould not wiſh to ſee a bill of the like nature with that which hath paſſed in England, extended to this country; and, therefore, I move, "That, beſides the general inſtructions you give your Commiſſion againſt Popery, you ſhould give them particular inſtruction to watch over the intereſts of the Proteſtant religion; and, if any ſuch bill ſhould be brought into parliament, that the Commiſſion ſhould take every legal and conſtitutional meaſure to prevent its paſſing into a law."

[*To be continued.*]

Humanity to priſoners of war recommended.

SIR, *Edinburgh, March* 29. 1779.

THE intereſt of the ſtate makes it neceſſary to confine priſoners of war: humanity enjoins us to treat them with every indulgence conſiſtent with our own ſafety, and the ſecurity of their perſons. As priſoners of war are ſeldom allowed to go at large upon their parole, they cannot go to market to purchaſe neceſſaries of life with their daily allowance of money.

In ſuch unhappy circumſtances, it ſeems juſt and proper that the market be allowed to go to them; by which means the priſoner will eſcape the rapacity of contractors and commiſſaries. I cannot avoid thinking, that every nation could, with ſafety to itſelf, allow priſoners a reaſonable indulgence in the eſſential articles of air and exerciſe. Sixpence a-day, a free market for neceſſaries, and a proper allowance of freſh air and exerciſe, ſeem of themſelves a tolerable ſecurity againſt the eſcape of a French priſoner.

In place of a caſtle or jail, let their place of reſidence be in an entrenched camp. Good uſage will render a moderate guard ſufficient. A ſlight iron ring about the ankle might be added, more as a badge than as fetters. The culture of the field would keep them in health, and its produce, in ſundry vegetables, reward their labour. In ſuch ſituation, the

the erecting of huts or cottages would be rather amuſement than toil.

Any nation may adopt ſuch ſyſtem of confinement. The bountiful hand of Nature has given us, in Britain, an eaſy and ſafe method of civilizing nations in the article of priſoners of war. Loch-lomond contains thirty iſlands. The largeſt, named *Inchmurin*, is ſaid to be two miles and a half in length. The combined purpoſes of public and private duties, viz. of ſafety and of humanity, are here attainable; and the proprietors of the iſlands would be benefited by the expenditure of ſome hundreds, poſſibly of ſome thouſands, of ſixpences a-day.

Cal. Merc. PERTINAX.

For the SCOTS MAGAZINE.

Queſtions by Sir ALEXANDER DICK, *with Anſwers by the Rev. Mr* TEMPLE *of Devonſhire, concerning the making of* CYDER, *which it were to be wiſhed were attended to in Scotland.*

Communicated by JAMES BOSWELL, *Eſq;*

Queſtion 1. Could not a ſmall quantity of Cyder, ſuch as two hogſheads, be eaſily made, without the large rolling-ſtone, by bruiſing the apples in a large mortar with a peſtle, and ſqueezing them in a common preſs of ſmall dimenſions? And in ſqueezing and bruiſing them is it uſual to add any water? if ſo, in what proportion?

Anſwer. It might, if a ſufficient quantity of apples can be bruiſed and ſqueezed in two days; but this will be very troubleſome; and there is a hand-machine to be got in London, which will anſwer the purpoſe infinitely better than a peſtle and mortar. No water muſt be uſed.

Q. 2. Is it common to add ſummer and winter apples together? It is the ſweet Cyder we want to make.

A. Summer and winter apples ſhould not be mixed. Sweet Cyder muſt be made of ſweet apples. *Racking*, or drawing it off from one caſk into another, adds greatly to the mellowneſs or ſweetneſs.

Q. 3. In what time does the juice of apples commonly ferment in the caſk or hogſhead? And is it common to add yeſt? And is it not neceſſary to fill the caſk up when it is working?

A. After the juice is put in the caſk, (which, as mentioned above, muſt be in two days after beginning to bruiſe the apples), it muſt ſtand till a brown cruſt appears at the bung, (its only mode of fermentation); which, if the weather be clear, generally happens in four and twenty hours. You muſt then try, by means of a peg at the bottom, whether the liquor be clear and fine. If ſo, draw it off immediately into another caſk: if muddy, wait a few hours longer. Nothing works out of the caſk, therefore it needs no filling. Nor is yeſt at all uſed.

Q. 4. Should the apples be perfectly ripe? And at what time ſhould they be put up to ſweat? and how long remain ſweating in a heap before bruiſing and ſqueezing?

A. The apples cannot be too ripe. They ſhould be put in a heap to ſweat about a fortnight before they are bruiſed.

Q. 5. At what time is the Cyder in the hogſhead to give over fermenting? And when is it fit for bottling and uſe? —— Is not Perry made up in the ſame manner?

A. It may be bottled about Ladyday. It muſt be racked three or four times, but no more, at the diſtance of a fortnight between the firſt and ſecond racking. The third racking ſhould be about a month before bottling. Fit to drink as ſoon as bottled.——Perry is made exactly in the ſame way.

Q. 6. How long will ſweet Cyder keep good in the bottles?

A. Sweet Cyder, if well corked and roſined, will keep good in bottles about two years.

IMMODERATE STUDY.

From Percival's *Moral Tales.*

SOphron had paſſed the day in very intenſe application to his favourite ſtudy. The ſhades of the evening inſenſibly ſtole upon him. He called for his lamp, and ſupplied it with an extraordinary quantity of oil, that it might burn till midnight. The flame was languid and glimmering. — He added more oil. — It yielded a ſtill fainter light. Again he repleniſhed the lamp. — The flame became dimmer. — He cloſed his book; and was ſoon left in total darkneſs.

Ah! ſtudious youth, uſe not with ſuch profuſion the ſacred oil of learning! Thus laviſhly applied, it will extinguiſh, not brighten, the intellectual lamp that burns within thee.

The

The Hiſtory of 1777, continued. [185.]

NORTH AMERICA.

Nothing could exceed the aſtoniſhment and terror which the loſs of Ticonderoga, and its immediate conſequences, ſpread throughout the New-England provinces. The General's manifeſto, in which he diſplayed the powers and numbers of the ſavages, added perhaps to the effect. It was remarkable, however, that in the midſt of all theſe diſaſters, and conſequent terrors, no ſort of diſpoſition to ſubmit appeared in any quarter.

The New-England governments in particular, though moſt immediately menaced, did not ſink under their apprehenſion of the common danger. They, as well as the congreſs, acted with vigour and firmneſs in their efforts to repel the enemy. Arnold, whom we have lately ſeen at the engagement at Danbury [66.], was immediately ſent to the reinforcement of the northern army, who carried with him a train of artillery which he received from Waſhington. On his arrival, he drew the American troops back from Saratoga to Still water, a central ſituation between that place and the mouth of the Mohawk river, where it falls into Hudſon's. This movement was to be the nearer at hand to check the progreſs of Col. St Leger, who was now advancing upon the former of theſe rivers. His forces were daily increaſed through the outrages of the ſavages, who, notwithſtanding the regulations and endeavours of Gen. Burgoyne, were too prone to the exerciſe of their uſual cruelties, to be effectually reſtrained by any means. The friends of the royal cauſe, as well as its enemies, were equally victims to their indiſcriminate rage. Among other inſtances of this nature, the murder of Miſs Macrea, which happened ſome ſmall time after, ſtruck every breaſt with horror. Every circumſtance of this horrid tranſaction ſerved to render it more calamitous and afflicting. The young lady is repreſented to have been in all the innocence of youth, and bloom of beauty. Her father was ſaid to be deeply intereſted in the royal cauſe; and, to wind up the cataſtrophe of this odious tragedy, ſhe was to have been married to a Britiſh officer on the very day that ſhe was maſſacred. [39. 648.]

Occaſion was thence taken to exaſperate the people, and to blacken the royal party and army. People were too apt to jumble promiſcuouſly, and to place in one point of view, the cruelties of theſe barbarians, and the cauſe in which they were exerted. They equally execrated both. Whilſt they abhorred and deteſted that army, which ſubmitted to accept of ſuch an aid, they loudly condemned and reprobated that government, which could call ſuch auxiliaries into a civil conteſt; thereby endeavouring, as they ſaid, not to ſubdue, but to exterminate, a people whom they affected to conſider, and pretended to reclaim, as ſubjects. Gen. Gates, in the courſe of theſe tranſactions, was not wanting by ſeveral publications to aggravate and inflame the picture of theſe exceſſes; and with no ſmall effect.

By this means, the advantages expected from the terror excited by theſe ſavage auxiliaries were not only counteracted, but this terror rather, it may be thought, produced a directly contrary effect. The inhabitants of the open and frontier countries had no choice of acting; they had no means of ſecurity left, but by abandoning their habitations, and taking up arms. Every man ſaw the neceſſity of becoming a temporary ſoldier, not only for his own ſecurity, but for the protection and defence of thoſe connections which are dearer than life itſelf. Thus an army was poured forth by the woods, mountains, and marſhes, which in this part were thickly ſown with plantations and villages. The Americans recalled their courage; and when their regular army ſeemed to be entirely waſted, the ſpirit of the country produced a much greater and more formidable force.

In the mean time, the army under Gen. Burgoyne, in the neighbourhood of Fort Edward, began to experience thoſe difficulties, which increaſed as it farther advanced, until they at length became inſurmountable. From the 30th of July to the 15th of Auguſt, the army was continually employed, and every poſſible meaſure uſed, for the bringing forward of batteaux, proviſions, and ammunition, from Fort George to the firſt navigable part of Hudſon's river, a diſtance of about eighteen miles. The toil was exceſſive in this ſervice, and the effect in no degree equivalent to the expence of labour and time. The roads were in ſome parts ſteep, and in others required great repairs. Of the horſes which had been ſupplied by contract in

Canada, through the various delays and accidents attending ſo long and intricate a combination of paſſage by land and carriage by water, not more than one third were yet arrived. The induſtry of the General had been able to collect no more than fifty teams of oxen in all the country through which he had marched, or this in which he at preſent ſojourned. Theſe reſources were totally inadequate to the purpoſes of ſupplying the army with proviſions for its current conſumption, and to the eſtabliſhment at the ſame time of ſuch a magazine as would enable it to proſecute the further operations of the campaign. Exceeding heavy rains added to all theſe difficulties; and the impediments to the ſervice were ſo various and ſtubborn, that after the utmoſt exertions for fifteen ſucceſſive days, there was not above four days proviſion in ſtore, nor above ten batteaux in the Hudſon's river.

In theſe embarraſſing and diſtreſſing circumſtances, the General received intelligence, that Col. St Leger had arrived before, and was conducting his operations againſt Fort Stanwix. He inſtantly and juſtly conceived, that a rapid movement forward at this critical juncture would be of the utmoſt importance. If the enemy proceeded up the Mohawk, and that St Leger ſucceeded, he would be liable to get between two fires; or at any rate, Gen. Burgoyne's army would get between him and Albany, ſo that he muſt either ſtand an action, or by paſſing the Hudſon's river, endeavour to ſecure a retreat higher up to the New-England provinces. If, on the other hand, he abandoned Fort Stanwix to its fate, and fell back to Albany, the Mohawk country would of courſe be entirely laid open, the junction with St Leger eſtabliſhed, and the combined army at liberty and leiſure to preſcribe and chuſe its future line of operation.

The propriety of the movement was evident; but the difficulty lay, and great indeed it was, in finding means to carry the deſign into execution. To maintain ſuch a communication with Fort George during the whole time of ſo extenſive a movement, as would afford a daily ſupply of proviſion to an army, whilſt its diſtance was continually increaſing, and its courſe liable to frequent variation, was obviouſly impracticable. The army was too weak to afford a chain of poſts for ſuch an extent; continual eſcorts for every ſeparate ſupply would be a ſtill greater drain; and in either caſe, the enemy had a body of militia within a night's march, at White Creek, ſufficient to break the line of communication.

Some other ſource of ſupply was therefore to be ſought, or the deſign to be dropped, and the proſpect of advantage which it preſented totally relinquiſhed. The enemy received large ſupplies of live cattle from the New-England provinces, which paſſing the upper part of the Connecticut river, took the route of Manchester, Arlington, and other parts of the New-Hampſhire grants, a tract of land diſputed between that province and New York, until they were at length depoſited at Bennington, from whence they were conveyed as occaſion required to the rebel-army. Bennington lies between the forks of the Hoſick river, before their obtaining that name, and without being touched by either, and not twenty miles to the eaſtward of Hudſon's; a place ſo obſcure, and ſo incapable from ſituation of being otherwiſe, that nothing but the preſent troubles could have called it into notice. It was, however, at this time, beſides being a ſtore for cattle, a depoſit for large quantities of corn and other neceſſaries; and what rendered it an object of particular attention to the royal army, a large number of wheel-carriages, of which they were in particular want, were alſo laid up there. This place was guarded by a body of militia, which underwent ſuch frequent changes that its number was neceſſarily uncertain.

The General ſaw, that the poſſeſſion of this depoſit would at once remove all the impediments that reſtrained the operations of the army, and enable him to proceed directly in the proſecution of his deſign. He accordingly laid a ſcheme to ſurpriſe the place, and intruſted the execution of it to the German Lt-Col. Baum, who had been already ſelected, and was then preparing to conduct an expedition tending to ſimilar purpoſes, towards the borders of the Connecticut river.

The force allotted to this ſervice amounted to about 500 men, conſiſting of about 200 of Reideſel's diſmounted German dragoons, Capt. Fraſer's marksmen, the Canada volunteers, a party of provincials who were perfectly acquainted with the country, and about 100 Indians; the corps carried with them two light pieces of artillery.

In order to facilitate this operation, and

and to be ready to take advantage of its ſucceſs, the army moved up the eaſt ſhore of Hudſon's river, where it incamped nearly oppoſite to Saratoga, having at the ſame thrown a bridge of rafts over, by which the advanced corps were paſſed to that place. At the ſame time Lt-Col. Breyman's corps, conſiſting of the Brunſwick grenadiers, light infantry, and chaſſeurs, were poſted at Batten Kill, in order if neceſſary to ſupport Baum.

The latter in his march fell in with a party of the enemy who were eſcorting ſome cattle and proviſions, both of which he took with little difficulty, and ſent back to the camp. The ſame fatal impediment which retarded all the operations of the army, viz. the want of horſes and carriages, concurred with the badneſs of the roads in rendering Baum's advance ſo tedious, that the enemy were well informed of his deſign, and had time to prepare for his reception. Upon his approach to the place, having received intelligence, that the enemy were too ſtrong to be attacked by his preſent force with any proſpect of ſucceſs, he took a tolerable good poſt near Santcoick mills, on the nearer branch of what becomes afterwards the Hoſick river, which is there called *Wallbon creek*, and at about four miles diſtance from Bennington; diſpatching at the ſame time an expreſs to the General with an account of his ſituation.

Col. Breyman was accordingly diſpatched from Batten Kill to reinforce Baum. That evil fortune now began to appear, which for ſome time after continued to ſweep every thing before it. Breyman was ſo overlayed by bad weather, ſo ſunk and embarraſſed in bad roads, and met with ſuch delays from the weakneſs and tiring of horſes, and the difficulty of paſſing the artillery-carriages, through a country ſcarcely practicable at any time, and now rendered much worſe by the continual rain, that he was from eight in the morning of the 15th of Auguſt, to four in the afternoon of the following day, notwithſtanding every poſſible exertion of men and officers, in getting forward about twenty-four miles.

A General Starke, who commanded the militia at Bennington, determined not to wait for the junction of the two parties, advanced in the morning of Aug. 16, whilſt Breyman was yet ſtruggling with the difficulties of his march, to attack Baum in his poſt, which he had intrenched, and rendered as defenſible as time and its nature would permit. The loyal provincials who were along with him, were ſo eager in their hopes to find what they wiſhed to be real, that when the enemy were ſurrounding his poſt on all ſides, they for ſome time perſuaded him, that they were bodies of armed friends who were coming to his aſſiſtance. The Colonel ſoon diſcovered their error, and made a brave defence. His ſmall works being at length carried on every ſide, and his two pieces of cannon taken, moſt of the Indians, with ſeveral of the provincials, Canadians, and Britiſh markſmen, eſcaped in the woods. The German dragoons ſtill kept together, and when their ammunition was expended, were bravely led by their Colonel to charge with their ſwords. They were ſoon overwhelmed, and the ſurvivors, among whom was their wounded colonel, were made priſoners.

Breyman, who had the hard fortune not to receive the ſmalleſt information of this engagement, arrived near the ſame ground about four in the afternoon, where, inſtead of meeting his friends, he found his detachment attacked on all ſides by the enemy. Notwitſtanding the ſevere fatigue they had undergone, his troops behaved with great vigour and reſolution, and drove the Americans in the beginning from two or three different hills on which they had poſts. They were, however, at length overpowered, and their ammunition being unfortunately expended, although each ſoldier had brought out forty rounds in his pouch, they were obliged, with great reluctance, to abandon the two pieces of artillery they had brought with them, and to retreat in the beſt manner they could; a circumſtance to which the lateneſs of the evening was very favourable.

The loſs of men ſuſtained by theſe two engagements could not be leſs than five or ſix hundred; of whom, however, the greater part were priſoners. But this was not the only or the greateſt loſs. The reputation and courage which it afforded to the militia, to find that they were able to defeat regular forces; that neither Engliſhmen nor Germans were invincible, nor invulnerable to their impreſſion; and the hope and confidence excited by the artillery, and other trophies of victory, were of much greater

conſequence. This was the firſt turn which Fortune had taken in favour of the Americans, in the northern war, ſince ſome time before the death of Montgomery; misfortune had ſucceeded misfortune, and defeat had trod upon the heel of defeat, ſince that period. This was the firſt inſtance in the preſent campaign, in which ſhe ſeemed even wavering, much leſs that ſhe for a moment quitted the royal ſtandard. The exultation was accordingly great on the one ſide; nor could the other avoid feeling ſome damp to that eagerneſs of hope, and receiving ſome check to that aſſured confidence of ſucceſs, which an unmixed ſeries of fortunate events muſt naturally excite.

St Leger's attempt upon Fort Stanwix, (now named by the Americans *Fort Schuyler*), was ſoon after its commencement favoured by a ſucceſs ſo ſignal, as would in other caſes, and a more fortunate ſeaſon, have been deciſive as to the fate of a ſtronger and much more important fortreſs. Gen. Harkimer, a leading man of that country, was marching at the head of 800 or 900 of the Tryon county militia, with a convoy of proviſions, to the relief of the fort. St Leger, well aware of the danger of being attacked in his trenches, and of withſtanding the whole weight of the garriſon in ſome particular and probably weak point at the ſame inſtant, and equally well underſtanding the kind of ſervice for which the Indians were peculiarly calculated, judiciouſly detached Sir John Johnſon, with ſome regulars, the whole or part of his own regiment, and the ſavages, to lie in ambuſh in the woods, and intercept the enemy upon their march.

It ſhould ſeem by the conduct of the militia and their leader, that they were not only totally ignorant of all military duties, but that they had even never heard by report of the nature of an Indian war, or of that peculiar ſervice in the woods, to which, from its nature and ſituation, their country was at all times liable. Without examination of their ground, without a reconnoitring or flanking party, they plunged blindly into the trap that was laid for their deſtruction. Being thrown into ſudden and inevitable diſorder, Aug. 6. by a near and heavy fire on almoſt all ſides, it was completed by the Indians, who inſtantly purſuing their fire, ruſhed in upon their broken ranks, and made a moſt dreadful ſlaughter amongſt them with their ſpears and hatchets. Notwithſtanding their want of conduct, the militia ſhewed no want of courage in their deplorable ſituation. In the midſt of ſuch extreme danger, and ſo bloody an execution, rendered ſtill more terrible by the horrid appearance and demeanour of the principal actors, they recollected themſelves ſo far as to recover an advantageous ground, which enabled them after to maintain a ſort of running fight, by which about one third of their number was preſerved.

The loſs was ſuppoſed to be on their ſide about 400 killed, and half that number priſoners. It was thought of the greater conſequence, as almoſt all thoſe who were conſidered as the principal leaders and inſtigators of rebellion in that country were now deſtroyed. The triumph and exultation were accordingly great, and all oppoſition from the militia in that country, was ſuppoſed to be at an end. The circumſtance of old neighbourhood and perſonal knowledge between many of the parties, in the preſent rage and animoſity of faction, could by no means be favourable to the extenſion of mercy; even ſuppoſing that it might have been otherwiſe practiſed with prudence and ſafety, at a time when the power of the Indians was rather prevalent, and that their rage was implacable. For according to their computation and ideas of loſs, the ſavages had purchaſed this victory exceeding dearly, thirty-three of their number having been ſlain, and twenty-nine wounded, among whom were ſeveral of their principal leaders, and of their moſt diſtinguiſhed and favourite warriors. This loſs accordingly rendered them ſo diſcontented, intractable, and ferocious, that the ſervice was greatly affected by their ill diſpoſition. The unhappy priſoners were however its firſt objects; moſt of whom they inhumanly butchered in cold blood. The New-Yorkers, rangers, and other troops, were not without loſs in this action.

On the day, and probably during the time of this engagement, the garriſon, having received intelligence of the approach of their friends, endeavoured to make a diverſion in their favour, by a vigorous and well-conducted ſally, under the direction of Col. Willet, their ſecond in command. Willet conducted his buſineſs with ability and ſpirit. He did conſiderable miſchief in the camp,

brought

brought off ſome trophies, no inconſiderable ſpoil, ſome of which conſiſted in articles that were greatly wanted, a few priſoners, and returned with little or no loſs. He afterwards undertook, in company with another officer, a much more perilous expedition. They paſſed by night through the beſiegers works, and in contempt of the danger and cruelty of the ſavages, made their way for fifty miles through pathleſs woods and unexplored moraſſes, in order to raiſe the country, and bring relief to the fort. Such an action demands the praiſe even of an enemy.

Col. St Ledger left no means untried to profit of his victory by intimidating the garriſon. He ſent verbal and written meſſages, ſtating their hopeleſs ſituation, the utter deſtruction of their friends, the impoſſibility of their obtaining relief, as Gen. Burgoyne, after deſtroying every thing in his way, was now at Albany receiving the ſubmiſſion of all the adjoining countries, and by prodigiouſly magnifying his own force. He repreſented, that in this ſtate of things, if, through an incorrigible obſtinacy, they ſhould continue a hopeleſs and fruitleſs defence, they would, according to the practice of the moſt civilized nations, be cut off from all conditions, and every hope of mercy. But he particularly dwelt upon the pains he had taken in ſoftening the rage of the Indians for their late loſs, and obtaining from them ſecurity, that in caſe of an immediate ſurrender of the fort, every man of the garriſon ſhould be ſpared; whilſt, on the other hand, they declared with the moſt bitter execrations, that if they met with any further reſiſtance, they would not only maſſacre the garriſon, but that every man, woman, and child, in the Mohawk country, would neceſſarily, and however againſt his will, fall ſacrifices to the fury of the ſavages. This point, he ſaid, he preſſed entirely on the ſcore of humanity; he promiſed on his part, in caſe of an immediate ſurrender, every attention which a humane and generous enemy could give.

The Governor, Col. Ganſevort, behaved with great firmneſs. He replied, that he had been intruſted with the charge of that garriſon by the United States of America; that he would defend the truſt committed to his care at every hazard, and to the utmoſt extremity; and that he neither thought himſelf accountable for, nor ſhould he at all concern himſelf about any conſequences that attended the diſcharge of his duty. It was ſhrewdly remarked in the fort, that half the pains would not have been taken, to diſplay the force immediately without, or the ſucceſs at a diſtance, if they bore any proportion at all to the magnitude in which they were repreſented.

The Britiſh commander was much diſappointed in the ſtate of the fort. It was ſtronger, in better condition, and much better defended than he expected. After great labour in his approaches, he found his artillery deficient, being inſufficient in weight to make any conſiderable impreſſion. The only remedy was to bring his approaches ſo near that they muſt take effect; which he ſet about with the greateſt diligence. In the mean time, the Indians continued ſullen and intractable. Their late loſſes might have been cured by certain advantages; but the misfortune was, they had yet got no plunder, and their proſpect of getting any ſeemed to grow every day fainter. It is the peculiar characteriſtic of that people, to exhibit in certain inſtances degrees of courage and perſeverance which ſhock reaſon and credibility, and to betray in others the greateſt irreſolution and timidity; with a total want of that conſtancy which might enable them for any length of time to ſtruggle with difficulty.

Whilſt the commander was carrying on his operations with the utmoſt induſtry, the Indians received a flying report that Arnold was coming with a thouſand men to relieve the fort. The commander endeavoured to hearten them, by promiſing to lead them himſelf, to bring all his beſt troops into action, and by carrying their leaders out to mark a field of battle, and the flattery of conſulting them upon the intended plan of operation. Whilſt he was thus endeavouring to ſoothe their temper, and to revive their flagging ſpirits, other ſcouts arrived with intelligence, probably contrived in part by themſelves, which firſt doubled, and afterwards trebled the number of the enemy, with the comfortable addition, that Burgoyne's army was entirely cut to pieces. The Colonel returned to camp, and called a council of their chiefs, hoping that by the influence which Sir John Johnſon, and the ſuperintendents Claus and Butler

ler had over them, they might ſtill be induced to make a ſtand. He was diſappointed. A part of the Indians decamped whilſt the council was ſitting, and the remainder threatened peremptorily to abandon him if he did not immediately retreat.

The retreat (Aug. 22.) was of courſe precipitate; or it was rather, in plain terms, a flight, attended with diſagreeable circumſtances. The tents, with moſt of the artillery and ſtores, fell into the hands of the garriſon. It appears by the Colonel's own account, that he was as apprehenſive of danger from the fury of his ſavage allies, as he could from the reſentment of his declared American enemies. It alſo appears from the ſame authority, that the Meſſaſages, a nation of ſavages to the weſt, plundered ſeveral of the boats belonging to the army. By the American accounts, which are in part confirmed by others, it is ſaid, that they robbed the officers of their baggage, and of every other article to which they took any liking; and the army in general of their proviſions. They alſo ſay, that at a few miles diſtance from the camp, they firſt ſtripped of their arms, and afterwards murdered with their own bayonets, all thoſe Britiſh, German, and American ſoldiers, who from an inability to keep up, fear, or any other cauſe, were ſeparated from the main body.

The ſtate of the fact with reſpect to the intended relief of the fort is, that Arnold had advanced by the way of Half-Moon up the Mohawk river with 2000 men for that purpoſe; and that for the greater expedition, he had quitted the main body, and arrived by forced marches through the woods, with a detachment of 900 at the fort, on the 24th in the evening, two days after the ſiege had been raiſed. So that, upon the whole, the intractableneſs of the Indians, with their watchful apprehenſion of danger, probably ſaved them from a chaſtiſement which would not have been tenderly adminiſtered.

Nothing could have been more untoward in the preſent ſituation of affairs, than the unfortunate iſſue of this expedition. The Americans repreſented this and the affair at Bennington as great and glorious victories. Nothing could exceed their exultation and confidence. Ganſevort and Willet, with Gen. Starke and Col. Warner, who had commanded at Bennington, were ranked amongſt thoſe who were conſidered as the faviours of their country. The northern militia began now to look high, and to forget all diſtinctions between themſelves and regular troops. As this confidence, opinion, and pride increaſed, the apprehenſion of Gen. Burgoyne's army of courſe declined, until it ſoon came to be talked of with indifference and contempt, and even its fortune to be publicly prognoſticated. In the mean time, Gen. Gates, on whoſe conduct and ability it appears the Americans had placed much reliance, arrived to take the command of the army: an event which gave a new ſpur to their exertion, and afforded an additional ſupport to their hopes. The arrival of Gates enabled Arnold, who ſtill held the next place in every thing to the commander in chief, and between whom it appears the moſt perfect harmony prevailed, to ſet out on that expedition to Fort Stanwix, which has been juſt related.

During this, &c. [*To be continued.*]

The Bees.

From Perceval's *Moral Tales.*

A Dutch merchant who was ſettled at Batavia, procured a hive of young bees from Poland, that he might multiply the breed of this induſtrious inſect, and regale himſelf with honey prepared under his own inſpection. The bees were ſtationed in a delightful garden, of large extent, and furniſhed with the richeſt profuſion of fragrant herbs and flowers. Plenty ſoon corrupted their diſpoſition to labour; and the ſtock of honey which they collected during the firſt months of their ſettlement, was of little value. The expected winter did not enſue: and as they continued to enjoy abundance in this happy climate, they became improvident of futurity, and were no longer at the pains to ſtore their cells with that food, which bountiful Nature at all ſeaſons provided for them. Thus unfavourable was exceſſive abundance to the admired virtues of the Bee.—And no leſs injurious to many a well-formed youth is that affluence which hath been heaped together by parental toil, to gratify parental ambition; but which ſerves either to nourith ſloth, by ſuperſeding the neceſſity of application; or to promote diſſipation, riot, and profligacy, by giving a falſe direction to activity.

PAR-

PARLIAMENT. [190.]

On the 11th of March, Dr Barrington, Biſhop of Landaff, moved for leave to bring in a bill for the more effectual prevention of the crime of adultery. The learned Prelate repreſented, with great pathos and elocution, the private miſeries conſequent on ſuch offences, and the miſfortunes to the ſtate from a cauſe, which became ſo much the more dangerous, from its being a domeſtic one. In the more ancient annals of our country, this offence had been much leſs frequent, becauſe puniſhed with greater ſeverity; and it was remarkable, that in the ſeventeen years of his Majeſty's reign, whom he might pronounce, without fearing the imputation of flattery, as exemplary a prince as any of his predeceſſors, there had been as many divorces as had happened during the whole hiſtory of the country put together, ſince its tranſactions had been ſubmitted to written record. There were two reaſons for this: the total extinction of the internal monitor of ſhame, in the preſent period, which had been felt by our forefathers with its due force, and kept them from the commiſſion of an offence wherein that ſenſation was moſt particularly appealed to. The other reaſon was, an injudicious mitigation of the penal laws with regard to the commiſſion of this crime. By the common law of England, no woman after a divorce was permitted to regain her dower, nor to marry again within a limited time. A method of evading this ſalutary ſtatute had been diſcovered, by making previous ſettlements, or by entering into private bonds; ſo that a woman might now enjoy as many conveniencies of rank and ſituation after a compelled diſmiſſion from her huſband, as after a ſeparation from him by the hand of Providence, and in a ſituation when ſhe had merited every thing by her conjugal tenderneſs and fidelity.—The motion was agreed to; and the bill was preſented, read a firſt time, and ordered to be printed.

The bill was read a ſecond time March 30. The Earl of Effingham objected to its commitment. Though he admitted, that ſome bill was highly neceſſary to reſtrain the commiſſion of adultery, he believed the preſent one to be inadequate to that purpoſe. Inſtead of prohibiting the offending parties from marrying within a preſcribed period, in his opinion the moſt effectual puniſhment would be, to compel them into an immediate marriage, within twelve hours after the decree of their Lordſhips pronouncing the divorce.

The Biſhop of Landaff ſaid, it was not by any means his expectation, to eradicate totally an evil of ſo confirmed a kind: but though the effort he had now made, might not prove adequate to the entire removal of the offence; yet if it contributed to ſtop the growing miſchief, and to produce only a partial cure, it would not be without its advantages. He reminded the Houſe of the ſhameful height to which the vice of adultery had got amongſt us, and eſpecially in the higher ranks of life, to the great misfortune of ſome of the firſt families in the kingdom. He explained his intention to be that of fixing a brand of infamy on an adultereſs, that might operate as a terror upon the mind, and prevent the ſo frequent commiſſion of the crime.

Lord Carliſle thought, that no penal ſtatute could reach a mere immorality. The injunctions of a higher judicature were the laws by which ſuch offenders were to be corrected; and if perſons ſo far forgot their duty as not to be intimidated by the precepts originating from that ſuperior authority, he did not ſuppoſe they were capable of being affected by any other interpoſition. It was in his opinion unjuſt, that the weaker offender ſhould be conſidered as the greater culprit. The man was to eſcape puniſhment by this bill; all was to fall on the unfortunate woman, who generally poſſeſſed ſtronger inclinations, without an equal power of impoſing that reſtraint of thought, and reaſoning, concerning conſequences, which the learned Prelate had held out as the only protection againſt the offence.

The Lord Chancellor ſpoke with peculiar feeling, ſtrength, and argument, upon this ſubject. He ſaid, the matter immediately before the Houſe was, Whether or no they would take into their conſideration a method for the more effectually preventing the crime of adultery? That was the appellation aſcribed to the bill; and if they rejected it, they pronounced in form, that they were not diſpoſed to put any reſtraint at all upon this abominable practice. Whether or no the means preſcribed in the bill were likely to prove adequate to the purpoſe, would be a ſubject for inquiry when the

Houſe

Houſe ſhould be in a committee upon it; at preſent, the plain queſtion was, Do you, or do you not, think it worth your while to interpoſe by ſome method for the prevention of a crime, that not only ſubverts domeſtic tranquillity, but has a tendency, by contaminating the blood of illuſtrious families, to affect the welfare of the nation in its neareſt intereſts? The bill went generally to all mankind, to every huſband and every father in the kingdom; but it concerned their Lordſhips more than any other order of people. A due regard and care for his poſterity, was to every man a near and dear object; to nobility, the moſt important to which they could poſſibly advert. He begged the Houſe to recollect, that the purity of the blood of their deſcendents, was, and muſt neceſſarily be, an eſſential conſideration in the breaſt of all the Peers of the kingdom. Every attempt to preſerve the deſcent of Peers unſtained, and perfectly pure, merited their immediate attention; for his part, he declared, he ſaw the importance of the bill to the Peerage ſo clearly, that if he had the blood of forty generations of nobility flowing in his veins, he could not be more anxious to procure it that aſſent and concurrence which it deſerved from their Lordſhips. He did not agree with the Noble Lord who ſpoke laſt, who ſaid, that adultery was a mere conſideration of morality, and was not a ſubject of human legiſlation. He obſerved, that when immorality went ſo far as openly to diſturb the order of civil ſociety, it was then neceſſary in every civilized ſtate for the legiſlature to interfere. On the whole, he hoped the bill would go to a committee, becauſe none of their Lordſhips diſputed the principle of it; the only objection was to the ſeverity of one clauſe, and that might be debated in the committee. For his own part, he thought it a very proper clauſe: for it appeared to him to be the only method of putting a ſtop to thoſe ſhameful intrigues we daily hear of, of paying addreſſes (called honourable) to married women, and promiſing, nay even entering into contracts to marry them as ſoon as they can be divorced. The infamy to which the woman would be driven, might, it was ſaid, occaſion her to be a common proſtitute; or it was poſſible ſhe might marry ſome other man inſtead of the adulterer. Theſe arguments had no weight with him; for if any man could be ſo mean as to marry a woman under ſuch circumſtances, he muſt take the puniſhment for his pains. But as it was chiefly among perſons of high rank that this crime had prevailed, and occaſioned great confuſion, he thought no infamy too great to be inflicted on the adultereſs; who now, by means of a divorce, and marriage with the guilty man, boaſted her reception again in the circles of the great and virtuous.

Lord Effingham ſaid, that the means adopted by the bill for the prevention of the crime was, in his opinion, the circumſtance of all others the moſt likely to increaſe it. The woman was to be precluded from marrying with the gallant on whoſe account ſhe had been legally divorced, and yet permitted to enter into the matrimonial bond with any other perſon. — If ſhe ſhould, would ſhe not ſtill be liable to thoſe temptations that had originally ſeduced her, and be led into a repeated commiſſion of the crime with her firſt favourite?

The Duke of Richmond ſaid, nothing could be more alarming than the great prevalence of adultery, and the frequency of applications to parliament for acts to authoriſe divorces; that the latter, it was agreed on all hands, had of late far exceeded all former example. The evil was doubtleſs a crying evil: the only queſtion was, How it could beſt and moſt effectually be remedied? The preſent bill was certainly well intended, but he greatly feared it was by no means adequate to the object. He differed entirely from the Rev. Prelate, and thoſe Noble Lords who had ſpoken about the time of ſuffering the women convicted of adultery to marry again: he was clearly of opinion, that the wiſeſt way to prevent divorces would be, to put it out of the power of either man or woman to marry again during the lifetime of both parties. He ſaid, he had not a doubt but the number of divorces were chiefly occaſioned by the ill conduct of the men, who drove their wives to bad courſes by their inattention to them, their want of politeneſs, and their want of perſonal regard: he added, that when they had imbibed new paſſions, they grew tired of their wives, and, wiſhing to get rid of them, connived at their wives adultery, and were content to be wittingly cuckolded, in order to form a colluſive ground for an application to parliament for a divorce. His Grace mentioned the great

great difficulty that formerly exiſted, of procuring an act to diſſolve a marriage; aſſerting that a woman muſt have foregone all idea of delicacy, and have given herſelf up to the moſt abandoned ſtate of depravity, before ſhe would afford what was at that time deemed *neceſſary proof*, to juſtify an application for a divorce-bill. The cuſtom of rigidly exacting direct and full evidence of criminality had very unwiſely been departed from; and of late years, to apply to parliament for an act to diſſolve a marriage, had been almoſt all the difficulty of endeavouring to obtain the end in view. The learned Lord who now ſat on the woolſack had, much to his honour, ſtopped ſeveral late applications for divorces, and had been the means of rendering thoſe applications abortive *. Such conduct did the learned Lord the higheſt credit, and every ſtep he took to ſtem the torrent of colluſion reſpecting applications to parliament for divorce-bills, would do him additional honour. His Grace concluded his ſpeech with ſtrenuouſly aſſerting, that the great number of modern divorces was rather aſcribeable to the faults of the huſbands than the faults of the wives; he therefore laid it down as a poſition immoveable, That the only effectual way to prevent divorces would be, to make it the intereſt of the men to render their homes happy, under the conſideration, that after being once married, the law would not admit of their marriage being diſſolved on any pretence whatever.

The Duke of Mancheſter ſpoke in reply to ſome part of the Lord Chancellor's argument. His Grace differed greatly in opinion from the Duke of Richmond; and ſaid, if men who were injured by their wives were obliged by law to continue married to thoſe women, whoſe bad tempers, or whoſe bad conduct, rendered their lives unhappy, the barbarity of former ages would of neceſſity be revived, and injured huſbands, in order to right themſelves, would have recourſe to aſſaſſination and murder. He condemned the preſent bill as unjuſt; and ſaid, that if a new law were made, the men who committed adultery ſhould be rendered as liable to puniſhment as the women; and that a wife ought not to be more reſtricted than her huſband. He appealed to the bench of Biſhops, whether it was conſonant with Chriſtianity, to be more ſevere on women who committed adultery, than on men; and concluded his ſpeech with reminding the Rev. Lords what was the conduct of our Saviour, when a woman taken in adultery was brought to him. Chriſt ſaid, "He that is without ſin among you, let him caſt the firſt ſtone:" And when he was left alone with the woman, Chriſt ſaid, "Woman, where are thoſe thine accuſers? Hath no man condemned thee?" She ſaid, "No man, Lord;" and Chriſt ſaid to her, "Neither do I condemn thee; *Go, and ſin no more!*"

The bill was committed without a diviſion.

In the committee, April 15. Lord Effingham ſaid, that as the bill at preſent would prevent the criminal parties from ever marrying one another, he would amend that part, by obliging them to marry one another, and no body elſe. A man under the influence of unlawful paſſion, he ſaid, could be reſtrained by nothing ſo much as the dread of being obliged to marry that woman who would permit herſelf to be debauched.

The Biſhop of Landaff oppoſed this alteration. — Lord Effingham propoſed ſome amendments; which were negatived.

The bill having been paſſed by the Lords, the Commons had it under conſideration April 19. —— Mr Fox ſaid, that the bill was more likely to encou-

*[The order of the day having been read, Feb. 9. for the Lords going into a committee on Chiffem's divorce-bill, the Lord Chancellor declared his objections to any further proceedings on this bill, and moved the rejection of it; which was agreed to unanimouſly. His Lordſhip's chief argument in equity turned upon an apparent colluſion between the parties; which was manifeſted by ſeveral ſingular circumſtances; ſuch as, the avowed acquieſcence of the huſband in the open ſtate of adultery in which his wife lived with William Greaves, the adulterer, notoriouſly, both at his houſe in London, and at his reſidence in the country; the neglect of recovering the damages awarded by the court of common pleas in 1777, though Mr Chiffem was in narrow circumſtances; and the ſtrange tranſaction of permitting his wife's father to pay all the charges of obtaining the divorce. His Lordſhip ſtated the immorality and ſcandal of ſuffering the guilty parties by ſuch means to unite in the ſacred union of matrimony; and, to the great ſatisfaction of the auditors, put the firſt check to the faſhionable practice daily prevailing, by contriving ſeparations and divorces colluſively by conſent of all the parties.]

rage and increaſe, than check adultery.—Lord Beauchamp obſerved, that there had been a bill of a ſimilar tendency brought into that Houſe ſome few years ſince; which was ſuffered to lie on the table unnoticed for three weeks, and would not have been at all attended to, had not a Rev. Prelate ſent for an Hon. Gentleman, now no more, who had a ſeat in that Houſe, and requeſted him to move for its being read; and after a full diſcuſſion the bill was rejected. The principle of that bill and this were pretty much alike; they both went to puniſh the women, and not the male ſex, who, generally ſpeaking, were moſt to blame. Excluſive of this objection, his Lordſhip ſaid there was another which ſtruck him very forcibly reſpecting the preſent bill: It went not only to puniſh the offending woman, but if that woman happened to be with child, to puniſh the unoffending iſſue, by baſtardizing it when it came into the world. This effect of the bill he reprobated as moſt unjuſt and inhuman.

Lord Nugent alledged, that the real cauſe of the progreſs of adultery, was that abominable ſtatute, the marriage-act, a bill that ſtruck at the root of perſonal freedom, and which was firſt brought into parliament to tickle the vanity of ſome Noble Lords in the other Houſe. His Lordſhip, in a very ludicrous and laughable manner, examined the effects of the marriage-act, declaring it to be a wretched piece of policy, tending to prevent an union of willing hearts, and to hinder young girls from giving their hands to ſuch hearty young men as they could like and love, in order that miſerly parents might couple youth with age, beauty and deformity, health and diſeaſe. To the marriage act, and that alone, he attributed all the family uneaſineſſes, all the quarrels between man and wife, and all the diſobedience of children to their parents, that had been ſo remarkably conſpicuous ſince the paſſing of that bill into a ſtatute. He complimented the ladies of England, by ſaying that he was ſure there were more good women, more chaſte wives, and more happy mothers in this kingdom, than in the whole world, Ireland only excepted [a loud laugh]; and declared, that, much to the honour of Ireland, he had found upon inquiry that there never had been but two inſtances of divorce before the Iriſh parliament.

Another member ſaid, that, in the opinion of very intelligent men, the marriage-act contributed to the preſervation of domeſtic peace, and was conducive to the increaſe of marriages, inaſmuch as it was a ſecurity to thoſe men who married, that their children were not likely to be made a prey to needy and deſigning adventurers. He attributed the bad conduct of wives, chiefly to the ridiculous doctrine of recrimination; deſcanted on this matter very ſcientifically; and obſerved, that if women proved to have committed adultery, were rendered liable to forfeit their jointure, as well as their dower, it might poſſibly operate as a preventive to adultery.

Mr James Luttrell oppoſed the bill, becauſe it aimed chiefly at the weaker ſex, and did not at all go to puniſh the men. He took occaſion to draw a compariſon between the conduct of miniſtry reſpecting America, and the tendency of the bill reſpecting women; declaring, that the quarter it came from rendered it in his eyes liable to ſuſpicion: had it been brought in by thoſe two worthy prelates who had done themſelves ſo much honour by oppoſing meaſures tending to promote the further effuſion of human blood, he ſhould have thought it was founded in meekneſs, Chriſtianity, and juſtice; with neither of which the principles of the bill as it then ſtood, appeared to be compatible.

On the 4th of May, the day appointed for the ſecond reading, the Hon. Frederick Montague ſpoke of the neceſſity of proceeding on the bill from a comparative view of the number of divorces of the preſent and former times; obſerving, that from the Reformation to the beginning of the late reign, there had been only fifteen divorces on the records of parliament; during that reign there had been twenty-two; from the commencement of the preſent reign to the preſent ſeſſion, there had been forty-two; and the table of the other Houſe was now covered with applications of that ſort, beſides thoſe paſſing through that Houſe. From all which he urged the neceſſity of a law for the prevention of a crime which ſo much diſturbed domeſtic peace and civil ſociety.

Abel Moyſey, Eſq; ſaid, that nature and reaſon pointed out the mode of puniſhing the female in this caſe: if the difficulty and hardſhip was theirs, ſo was the palm of virtue and honour; they wanted no other guard from the laws than

than to be protected from force; to guard againſt ſeduction muſt be their own province.

The Hon. Charles Fox took the matter up on the doctrine of non-repreſentation, which he ſaid had been ſo many years agitated in that Houſe; he averred the ladies to be totally unrepreſented, therefore intitled to the moſt tender treatment, in caſes where the ſexes were to be diſtinguiſhed. He then inveighed againſt the bill in its preſent form, as unequal, unjuſt, and tyrannical, tending to do more hurt than good, by preventing the fair delinquents from making the only atonement to ſociety in their power for paſt errors, and driving them to become common proſtitutes.

Lord Nugent ſaid, the bill was not intended as a bill of pains and penalties, but as a preventive bill: for if he conſidered it as a perſecution of adultery, he would be totally againſt it, as perſecution always increaſes the numbers of votaries; and if it once came under that denomination, and it was even made capital, he did not doubt whole ſhoals of ladies would come willing victims to the altar; but where they would find men to be executioners he did not know.

Sir Adam Ferguſſon traced the laws of the Romans, and other nations, reſpecting adultery, and drew a general concluſion from them all, that it muſt be founded in reaſon and the nature of things, what all civilized nations agree in, to make laws for the prevention of adultery: he ſtrenuouſly ſupported the bill.

The queſtion being put, for the ſecond reading, the numbers were, Ayes 40, Noes 51.

Diſſenters.

On the 10th of March Sir Harry Houghton made a motion in favour of the Proteſtant Diſſenters. Having expatiated on the liberal ſentiments which ſeemed generally to prevail with reſpect to religion, and enumerated many hardſhips under which Diſſenting miniſters and teachers of youth labour, from certain penal ſtatutes unrepealed, ſuch as confinement and fine to ſuch of them as keep ſchools, if they be found within five miles of any city or town that ſends members to parliament, he moved, That the Houſe do now reſolve itſelf into a committee, to conſider of granting further relief to the Proteſtant Diſſenting miniſters and teachers. —— Mr Frederick Montague ſeconded the motion.

Sir William Bagot intreated the Hon. member to conſider the great danger to the ſtate of all innovations in matters of religion, and the extreme impropriety of producing ſuch a motion at this time, when the nation was engaged in a war, and labouring under many political difficulties. Surely he would not add to the weight of our misfortunes, by loading us with a religious controverſy to throw all England into a flame. In his opinion, the preſent toleration afforded the Diſſenters every liberty they could expect under the eſtabliſhed church: but if they wanted to be put in all reſpects upon the ſame footing as the church of England, he, as a member of that church, and a ſupporter of the conſtitution in church and ſtate, ſhould ſtrenuouſly oppoſe it. He aſked, in what part of Europe the Diſſenters from the religion of the country, enjoyed ſuch privileges as our Diſſenters; but if they were to have ſtill more, they would gain the aſcendency, and ſubvert the conſtitution. He referred gentlemen to the hiſtory of this country for what had happened, and he deſired to know what complaints the Diſſenters had to make: he did not know of any proſecutions; and though the penalties mentioned ſtood in the letter of the law, he believed no inſtance could be mentioned of late years of enforcing them. He mentioned the progreſs of Atheiſm in this country; and ſaid, the taking off all reſtrictions from every denomination of Diſſenters, would open the door to every ſpecies of religious innovation.

Mr Wilkes reminded the Houſe, that they had very juſtly paſſed an act in the laſt ſeſſion for the relief of very large bodies of loyal ſubjects, the Roman-Catholics; and it was not then made an objection, that no complaint had been exhibited, that no inſtance of perſecution could be produced; but the Houſe went upon the liberal idea of removing impolitic reſtraints, and of leaving men entirely free in the exerciſe of their religious opinions. It was then likewiſe a time of war and political confuſion; yet he had not heard of any inconvenience that had ariſen from that wiſe meaſure. He denied the charge of Atheiſm having made any progreſs in this iſland: he believed he had read as many books on religious ſubjects as the Hon. member ſa

loud laugh]; and he could venture to aſſert, that no Atheiſtical publication had appeared in this country for twenty years paſt. Pure Deiſm had indeed made a rapid progreſs: but who were the eminent writers on this ſubject? Not Diſſenting miniſters, but clergymen of the eſtabliſhed church, of the church of England; of which, Sir, I am a member [another loud laugh], as well as the Hon. member; but I do not, like him, apprehend any danger either to the church or the ſtate from granting relief to the Proteſtant Diſſenters, who are juſtly intitled to it, and cannot be denied it with any decency.

Sir Roger Newdigate enlarged upon the danger of the church, and the perſecuting ſpirit of the Preſbyterians; and aſked with what face gentlemen could apply for relief for Diſſenters, who, where they had any power, would not grant any to Epiſcopalians? The conduct of America was a proof of what he ſaid; for ſcarce a ſhip arrived from that country which did not bring home ſome martyr to the cauſe of the church. He inſtanced the caſe of a clergyman, a relation of his, who was driven from a very good living for not praying for the Congreſs: the clergyman, he ſaid, would have temporiſed, and omitted the King's name in the church-ſervice: but that would not do; he ſhould pray for the Congreſs. He refuſed to do it, and was driven from the country.

Sir Adam Ferguſſon denied that the Preſbyterians were intolerant. In Scotland they allowed the Epiſcopalians, who are Diſſenters there, the greateſt toleration; and, in Edinburgh, the high-church ſervice was performed with no leſs ſplendor than in London. In America, the acts alluded to by the worthy Baronet did not proceed from a ſpirit of intolerance, but from the policy of the new ſtate.

Sir John Goodricke thought it was the propereſt time of any to grant the relief requeſted: union was much wanted throughout the kingdom, and this would promote it, inſtead of cauſing any heats or animoſities; they ſubſiſted now, for want of ſuch a meaſure.

The motion paſſed without a diviſion; the Houſe went directly into a committee, Mr Montague in the chair, and a reſolution was made, that leave ſhould be given to bring in the bill.

This reſolution having been reported, March 17. Sir William Bagot moved to poſtpone the bringing in the bill for four months; inſiſting, that it was dangerous to attempt giving ſuch general toleration at a time when the nation was ſo critically circumſtanced; and inſtanced the miſchiefs committed in Scotland on the apprehenſion of a repeal of the penal ſtatutes againſt Roman-Catholics. He contended, that ſuch of the Diſſenting miniſters as were truly Chriſtians, were againſt the preſent bill, being fearful that the cauſe of Chriſtianity would ſuffer by the opportunity which would thereby be given to Methodiſts, and an infinite number of other improper teachers, to ſpread ſchiſm and diſorder through the minds of the people.

Lord Lewiſham wiſhed to know what hardſhips had been of late impoſed on Diſſenters; and he undertook to ſhew, from the preamble of the act of Charles II. which impoſed the reſtraints on Diſſenters, that they tended to prevent diſſemination, not only of ſchiſm, but of treaſon and rebellion, as appeared upon the face of the act.

Mr T. Townſhend aſked, if there was ſo eſſential a connection between our church-eſtabliſhment and our conſtitution, that any alteration in one muſt endanger the other, how could the ſame legal government ſupport two diſtinct church-eſtabliſhments, that of England and that of Scotland, which differed ſo very eſſentially from one another?

Sir George Saville went more metaphyſically into the ſubject, to ſhew how little the theoretical opinions or interpretations of particular articles or myſteries of faith could affect the government of our ſtate. He marked the indecency as well as the abſurdity of opening the door of toleration to ſome Diſſenters, and telling others, we could not think of letting them paſs; and he concluded, by declaring it to be his opinion, that if ſingularity between our church and conſtitution was really neceſſary, our church would infallibly approach nearer to the liberal conſtruction of our government, in proportion as it approached towards univerſal and unlimited toleration.

On the queſtion put, the numbers were, for poſtponing the motion 6, againſt poſtponing it 76.

The following petition paſſed unanimouſly in full convocation at Oxford March 29. and was preſented to the Commons, next day, by Lord North, Chancellor of the univerſity.

—— "Sheweth,

—" Sheweth, That whereas a bill is now depending in parliament, intitled, *A bill for the further relief of Proteſtant Diſſenting miniſters and ſchoolmaſters*; and whereas the ſaid bill does not provide, that ſuch miniſters and ſchoolmaſters ſhall make any profeſſion whatever of their belief in the fundamental doctrines of Chriſtianity, or even the authority of the holy ſcriptures, as containing a revelation of the will of God; and whereas, without ſome ſuch proviſion, Diſſenting miniſters and ſchoolmaſters of all denominations will be at liberty to preach any doctrines, and inſtil into young minds any principles, how repugnant ſoever to the Chriſtian faith: We, therefore, the Chancellor, Maſters, and Scholars of the Univerſity of Oxford, entruſted, by the very nature of our inſtitution, with the education of youth in the principles of true religion; friends, at the ſame time, to toleration, ſo far as the ſame may be conſiſtent with the intereſts of Chriſtianity, and the ſecurity of our happy eſtabliſhment in church and ſtate; do humbly pray, that ſuch bill, which we cannot but regard as injurious and dangerous to both, may not be permitted to paſs into a law under the unlimited form in which it is now propoſed."

In the committee, April 20. Lord North expreſſed the warmeſt approbation of the laudable objects which the bill had in view, a relief of many very loyal and worthy ſubjects; and he thought that deſirable purpoſe might be effected without rouſing the apprehenſions of any members of the Proteſtant church of England. As the bill at preſent ſtood, he confeſſed, it gave room for ſome ſuſpicions; gentlemen were allowed to preach and teach at ſchools, under the immediate protection of magiſtrates, from an idea, that they were Proteſtant Diſſenters, and conſequently Chriſtians, without ever giving any ſort of account of themſelves, or without their congregations or pupils ſo much as knowing, but as they ſhould be able to diſcover by their ſyſtems and practices, whether they were in fact Chriſtians or not. This ſurely the Diſſenters themſelves could not wiſh for; their principles and doctrines were not by any means ſuch as would warrant the idea: it was therefore moſt certainly to the manifeſt intereſt of the Diſſenters, that ſome criterion ſhould be eſtabliſhed, by which a judgement might be formed of their tenets; ſome method deviſed, by which the world might know, that the religion we were about to tolerate, was not repugnant to, but altogether compatible with, nay a ſtrong ſupporter of Chriſtianity and vitrue. The propoſition he was about to make, would, he conceived, anſwer this purpoſe, as well as give every degree of ſatisfaction to that reſpectable body of men, the Chancellor, Profeſſors, and Students of the Univerſity of Oxford, whoſe approbation, he thought, ought, on this occaſion, not to be totally diſregarded.—There had been, his Lordſhip remarked, two bills of a ſimilar nature to that before the committee, already paſſed the Houſe of Commons, but both of them were rejected in the Upper Houſe. What might be their Lordſhips motives for acting in that manner, he could not take upon him to ſay; the moſt probable ſuggeſtion was, that thoſe gentlemen whoſe functions placed them in ſuch a ſituation as to make it their duty more immediately to watch over every ſpecies of religion exerciſed in this kingdom, were ſomewhat jealous of the meaſures pointed out by ſuch bills, and did not think they would promote the cauſe of Chriſtianity. If this was the caſe, which, in his opinion, was moſt probable, he could not but think, that thoſe objections would, in a great meaſure, be removed, if not totally deſtroyed, by the amendment which he would take the liberty of offering: for he could not think, that the Upper Houſe meant to diſcourage toleration, when properly founded; they only deſired, as far as from circumſtances he could judge of their opinion, to prevent an indiſcriminate exerciſe of ſuch forms of worſhip as might be repugnant to Chriſtianity, and to that mode of religion which the Diſſenters were deſirous of preſerving in the utmoſt purity. He would therefore move, that perſons claiming a protection, and the privilege of exerciſing their religion as Proteſtant Diſſenters, under the preſent act of parliament, and who ſhould refuſe to take the oath preſcribed by the act of the 1ſt of William and Mary, ſhould take the following oath, viz. " That they were Chriſtians, and Proteſtant Diſſenters; that they believed in the Old and New Teſtament, and in the revelations contained therein; and alſo in the thirty-nine articles of the church of England;

by

by which alone their religious inſtructions were to be governed." This declaration would, his Lordſhip ſaid, remove every apprehenſion of improper perſons being tolerated by the preſent bill, whilſt it would afford that relief to our valuable fellow-ſubjects the Proteſtant Diſſenters, which juſtice and policy ſo loudly demanded of us.

Mr Croft ſeconded the motion, and was entirely of opinion with the Noble Lord, that ſuch a declaration ought to ſtand part of the preſent bill, and to be a condition under which the terms it contained ſhould be granted.

Sir Harry Houghton objected to the Noble Lord's propoſition, which, if adopted, would render the preſent bill nugatory, at leaſt take off a great part of the merit which that Houſe would otherwiſe have in paſſing ſuch an act. Beſides, the amendment itſelf was entirely uſeleſs; it was creating a difficulty, without the leaſt proſpect, or indeed poſſibility, of producing any good effect. Were not the acts which would ſtill remain upon our books, ſufficient to reſtrain Atheiſts and Deiſts from propagating their doctrines? or did gentlemen imagine, that ſuch deſcriptions of men would, after the preſent bill ſhould have paſſed, have a ſanction for promulgating their opinions? That could not ſurely be the caſe: but even if it was, ſo far from that making an obſtacle to the bill in its preſent form, it ought rather to be an excitement to the Houſe to paſs it; for he would ever maintain, that toleration, not partial and *limited* toleration, if he might uſe the expreſſion, but a general unreſtrained permiſſion to all orders and ſectaries of religion, to think and act for themſelves, and to worſhip the Deity as ſhould be moſt agreeable to their own ideas of propriety [40. 674.], was a political maxim, which we ought to adopt. Upon the whole, he would oppoſe the amendment, as well upon the grounds he had juſt ſtated, as from a conviction, that no human laws could prevent any perſon from impoſing upon the legiſlature; and that a mind which was not governed by *religion*, could not be awed by the terrors of an oath.

Mr Wilkes was alſo againſt the propoſition offered by the Noble Lord; it carried with it ſo much the appearance of that prejudice and illiberality, which once he knew to have exiſted in this country, but which, he then hoped, was buried in oblivion: in this hope, however, he found himſelf deceived; and the Noble Lord, as if fearful that any other perſon than a Diſſenter ſhould have protection under the preſent bill, had introduced ſuch a clog to the bill as would inevitably confine its utility to a very narrow compaſs. What was the declaration which the Noble Lord had propoſed? It was, That every perſon claiming protection under the bill, ſhould profeſs to believe in the Old and New Teſtaments, and the revelations contained therein. This, he would venture to ſay, was utterly impoſſible for any man to do. The whole of the ſcripture, no one he was ſure would argue, contained the revelations of the Deity. Solomon's Songs, for inſtance, what *revelation* did they contain? They were, indeed, pretty poetry; but that was all. Many other parts of the ſcripture were equally exceptionable. But yet the whole of it was to be implicitly believed! With reſpect to the Articles, the Creed of St Athanaſius, &c. he was ſure very few of the former, and very little of the latter, could be underſtood; but the whole of them muſt notwithſtanding be believed, before our fellow-ſubjects could obtain that protection to which they were ſo juſtly intitled; protection, he ſaid, for he would never call that a privilege which one perſon had a right to demand of another. The cauſe of Chriſtianity and religion he was ever anxious to defend; but he thought that it was the duty of every man to chuſe ſuch a maſter and teacher for his children, as might be likely to inculcate into their minds true notions of Chriſtianity, without conſidering what ſpecific form of religion he profeſſed. A Noble Lord, (Lord Shelburne), whoſe judgement and integrity were ſuch as rendered him very worthy of imitation, had ſet this example of liberality, by committing his ſon to the care and inſtruction of a very worthy Diſſenting miniſter, who, as well as many other gentlemen of that perſuaſion, did honour to the principles which they eſpouſed.

Sir George Yonge was againſt the amendment; he thought it unneceſſary, as the general tenor of the bill was ſufficient to deſcribe the perſons who were intended to be benefited by it. It was, by the title of it, confined to *Proteſtant Diſſenters*; and by that term, he underſtood, was meant thoſe who proteſted againſt ſuch of the ſuperſtitious tenets and maxims

maxims of the Church of Rome, as were ſuffered to remain in the Church of England.

Mr Dunning argued againſt the propoſition, and very warmly complimented the gentlemen who were intended to be protected by the bill.

Mr Burke was for the amendment, and entered into a very long argument to ſhew the propriety of it.

Mr Fox, Mr T. Townſhend, Sir William Meredith, Sir W. Bagot, Lord John Cavendiſh, Sir Adam Ferguſſon, and Mr Goodricke, alſo delivered their ſentiments on the occaſion, but with very little new matter.

On the queſtion being put, the numbers were, for the amendment 88, againſt it 58.

Mr Montague having preſented the report, April 28. Lord North, that the Diſſenters might have as little objection as poſſible to the teſt-clauſe, moved, that the word *whole* ſhould be left out of that part of it which aſſerted, that the ſcriptures contained the *whole* of God's revealed will.

Mr Dunning oppoſed any teſt. He maintained, that the enjoyment of any right, civil or religious, in a free government, ought not to be clogged with any reſtrictions; that government having ſecured the eſtabliſhed religion of the country by law, and confined all the honours and emoluments of the church to the miniſters of that religion, all Diſſenters from it, while they behaved themſelves as loyal ſubjects, ought to enjoy their own religious opinions without any reſtraint, as a common right belonging to them by the nature of the conſtitution itſelf. He declared, that many of the Proteſtant Diſſenting miniſters had authoriſed him to give their reaſons againſt ſigning the propoſed declaration. He then read a paper, containing, amongſt other things, the diſtinguiſhing tenet by which Proteſtant Diſſenters are known throughout Europe, which is, that they deny the authority of the civil magiſtrate in matters of religion, and therefore they cannot conſiſtently ſign a teſt which admits of that authority. On this ground he ſaid he was apprehenſive the bill with the declaration might do miſchief; for thoſe who could not ſign it, would be liable to the penal ſtatutes ſtill in force; and if one ſingle proſecution aroſe in conſequence of this, inſtead of being a bill for the relief of Proteſtant Diſſenting miniſters and teachers, it would be an act for oppreſſing them. If therefore the declaration was carried, he ſhould vote againſt the bill.

Mr Goodricke expatiated largely on the neceſſity and ſound policy of freedom in religion; there ought to be no tie, after that, upon other mens profeſſions: and as to the interpretation of ſcripture, or the will of God, that was all vague; for tenets of every kind had been broached as ſcripture-doctrine.

Sir Henry Houghton, Mr Montague, Sir George Yonge, Mr Rous, Sir George Saville, and Mr Turner, ſpoke againſt the bill.

Lord North defended it; and ſaid, he was well appriſed that the greateſt part of the Diſſenting miniſters would not unwillingly ſign it; and the few who did not, muſt be well convinced they would never be moleſted. It was not the ſpirit of the times. In no part of adminiſtration were there any ſuch notions as to trouble men for their religious opinions. The bench of Biſhops, and particularly the head of the church, was a man of a different opinion. On this account, and as no inſtance could be produced in this reign, of a Diſſenter being moleſted, he was aſtoniſhed at the bringing in of ſuch a bill at this time; but as they had thought proper to do it, he had propoſed a declaration, which no man who is a Chriſtian and a Proteſtant Diſſenter, can refuſe to ſign. As to Deiſts, and perſons denying the Trinity, or profeſſing other ſingular religious opinions, not being either Chriſtians or Proteſtants, the bill had nothing to do with them. But certainly the ſtate had a right to guard againſt authoriſing men, by authority of parliament, to be teachers of their notions; this was a matter of great importance; he ſhould, therefore, vote for the declaration as it was now amended.

Mr Rous ſaid, the conſcientious man was the only man who would be injured by the declaration; for, not being able to ſign it, he would remain open to perſecution, and the power of perſecution would remain, though the liberal diſpoſition of our preſent rulers would prevent the exerciſe of it.

On a diviſion, the declaration was carried by 95 votes againſt 59.

The bill was read a third time, April 30, paſſed, and ſent to the Lords.—By whom it having likewiſe paſſed, it received the royal aſſent, with other bills, on the 18th of May.

Adm.

Adm. KEPPEL's *trial, continued.* [201.]

Having now offered to the court (continued Adm. Keppel) preciſe anſwers to all the charges exhibited againſt me, I ſhall proceed to call my witneſſes, to ſupport thoſe anſwers, and of courſe to refute the charges, in the order in which they have been made. — I ſhall call them, not as a priſoner commonly calls his witneſſes, to oppoſe them to thoſe which appear for the proſecution. — Quite the contrary. — I bring them to ſupport, confirm, enlarge, and illuſtrate, almoſt the body of the evidence which has been given by my accuſer.

But before I ſit down, I muſt diſcharge a duty which I feel myſelf to owe to the reputation of a ſervice highly and juſtly favoured in this country, and which can never ſuffer in its honour, but the nation itſelf will ſuffer in proportion.

I have heard it aſſerted, and contended for during this trial, as an eſſential and indiſpenſable right of a captain of a man of war, to make additions and alterations in the ſhip's log book, even after the original entries had been ſeen, examined, and approved by himſelf. — I have ſeen this attempted to be excuſed, nay, even juſtified, and boaſted of, in a caſe where the alterations and additions introduced matter of criminal and capital offence, acknowledged by the party to have been introduced months after the original entries were inſerted, and with knowledge that a criminal charge had then been exhibited againſt the perſon in whoſe trial they were firſt heard of. — I have heard this attempted to be defended where the moſt material of the alterations and additions were certainly not ſupported by fact.

Upon this occaſion ſurely I am called upon to enter my proteſt againſt a claim which ſubjects the log-books of the King's ſhips, that ought to contain, if not always a perfect, yet always a genuine narrative of their tranſactions, when the events are freſh and recent, when they cannot be miſtaken, and can hardly be miſrepreſented, and which ought never to be altered after the entries have been made and authoriſed.

This is the caſe of the firſt alteration of the log-book. — Another alteration has ſince appeared in another log-book! — that of the proſecutor himſelf! little differing from the former, except that the perſon that has actually made it does not appear to juſtify it; that the witneſs to it ſtates it to have been made ſoon after the engagement; and that the deſtruction of ſome leaves, and the ſubſtitution of others, ſeems to be rather made for the purpoſe of exculpating another perſon, than of criminating me. — But whatever the intention was, the thing is equally unjuſtifiable in all reſpects; it tends equally to deſtroy all ſort of uſe in theſe kinds of records, and to render them highly fallacious, and poſſibly highly dangerous. — I do not dwell on all the particulars of that unhappy buſineſs! — it is painful to me, and the nature of the tranſaction is but too viſible. — There has always been, and probably will always be, ſome thing ſlovenly in theſe books; and the maſters have thought they have more power over them than is proper. — There is however a great difference between inaccuracy and malicious deſign; — there is a difference between the correction or ſupply of indifferent matters, and the cancelling of pages and putting in others, — omitting, adding to, and varying, the moſt important things, for the moſt important purpoſes.

It is alſo proper for me to ſtate two or three facts to the court, in order to place the conduct of my accuſer in its proper point of view.

I admit that the charges he has exhibited againſt me are very heinous. — They expreſs miſconduct and negligence; they imply (and ſo the court has underſtood them to imply) cowardice alſo. — If I ever committed them at all, it was in his preſence, and in the preſence of a numerous corps of officers, who, being called upon by the court, have all unanimouſly refuſed, or I truſt will refuſe, to fix any one charge upon me. — I have mentioned before the circumſtance of my accuſer's ſilence for months, during which he was called upon by the duty he owed to his country to have ſtated my miſconduct, if any ſuch had exiſted; and his refuſal to do ſo is ſtrong evidence of itſelf, that even in his opinion my conduct was liable to no reproach.

But this is not all; even ſo late as the 5th of October laſt, I received a letter from him, dated at ſea, conceived in terms of great good-will and reſpect for me, — in which, having occaſion to mention ſome prizes which had been taken by the fleet, he conſiders that as a ſubject of little moment to me, aſſigning this as a reaſon, — "For I know

you

you had rather meet the French fleet;" — that fleet which he ſays I fled from!

Is this conſiſtent with the tenor of thoſe charges? — Could the man who wrote the one believe the other? — It is abſolutely impoſſible. — I cannot produce this letter in evidence; but when I go out of the court, I will ſhew it to any gentleman who is deſirous to ſee it.

Another thing more, and I have done.

Sir Hugh Palliſer thought proper to addreſs the public, by a printed news-paper, dated the 4th of November; — principally, as it ſeems, for the ſake of aſſerting, that he was not, and inſinuating that I was, the cauſe of the French fleet not being reattacked in the afternoon of the 27th of July. [40.624.]

In that paper he poſitively denies that he received any meſſage by Capt. Windſor ſaying a word about renewing the attack; and he calls the contrary aſſertion a falſe one. Capt. Windſor has been called, and he has proved, that at five o' clock he received from me, and at about half paſt five he delivered to Sir Hugh Palliſer himſelf, the meſſage to come with the ſhips of his diviſion into my wake, and that I only waited for him to renew the attack.

This account of Capt. Windſor has been attempted to be diſcredited by the proſecutor, who has aſked Capt. Bazeley, and I believe one or two more, whether it was not at a later hour than Capt. Windſor named. — I ſhall for that reaſon call witneſſes to confirm Capt. Windſor in all the circumſtances of his teſtimony.

I owe it to him as an honourable man, to ſhew that his evidence is correctly true.

I will prove, that the meſſage ſent by me was preciſely the meſſage delivered by him at the time he ſpeaks to, — and that it was exactly repeated by him to the Vice-Admiral. — Yet, after his own ears had heard, at half paſt five in the afternoon of a ſummer's day, that I waited only for him and his diviſion to renew the attack, — this gentleman applies to me, ignorant, negligent, cowardly, as he now repreſents me, to certify his good behaviour, and to ſupport his character againſt the malice of his enemies. — He applies to me to ſign a paper, containing many particulars directly contrary to the evidence you have heard upon oath, and which I will alſo ſhew to any one.

At preſent, I have only to do with one of thoſe particulars. — That paper (concurring with his attempts in this trial) contains this aſſertion, That the calling his and Vice-Adm. Sir Robert Harland's diviſions into my wake in the evening, was not for the purpoſe of renewing the battle at that time, — but to be in readineſs for it in the morning. — This my accuſer had the confidence to tender to me to ſign.

To ſign an aſſertion of a fact — abſolutely unfounded, — the contrary of which I knew to be true, and the contrary of which, Capt. Windſor has proved, my accuſer knew to be true. — How that gentleman felt when this came out, I know not: — but if I could conceive myſelf in the ſame ſituation, I know it would be difficult to expreſs what I ſhould feel. — I cannot wiſh ſo heavy a puniſhment to my worſt enemy.

[For the depoſitions we muſt refer to the Trial; — of which there are four accounts publiſhed, one of them taken by George Jackſon, Eſq; Judge-Advocate of the Fleet, publiſhed by order of the Admiralty; but we ſhall here inſert a few particulars.]

Of the log-book of the Formidable.

Adm. Montagu having, in the courſe of the trial, Jan. 22. perceived, that three leaves had been taken out of the log-book of the Formidable, containing the work of the 26th, 27th, and 28th of July, and others tacked into the book in their ſtead, and aſked Capt. Bazeley, if he knew how that came to be done?

The Captain's anſwer was, "That he knew nothing of it. — There was a fair book made out; he ordered the old original log-book to be brought; he knew no more of it."

Before the adjournment this day, the following proceedings were had.

The Admiral. It gives me great pain to aſk to retain the court beyond the uſual hour of adjournment; but the three leaves, containing the narrative of the 26th, 27th, and 28th of July, being taken from the Formidable's log-book, and ſupplied by others, carries with it ſo extraordinary an appearance, that I truſt the court will not think me unreaſonable in begging the maſter may be immediately called in to explain it.

Proſecutor. I hope I am not to be interrupted in the courſe of my evidence.

The Admiral. In a caſe like this, where there is ſuch a juſt ground to ſuſpect unfair and dangerous practices, I hope the court will think it neceſſary for the attainment of juſtice, that an immediate exami-

examination ſhould be entered upon, to prevent all intermediate communication.

Adm. Montagu. I move the maſter be ordered to attend to-morrow, in caſe the court ſhould think proper to call him; — and we will depend upon the Vice Admiral's honour not to have any communication with him.

The court agreed to this.

Next day, Jan. 23. the Proſecutor addreſſed the court thus.

"Mr Preſident, Sir, The cutting the leaves out of the Formidable's log-book is a fact which I was totally ignorant of till it was obſerved yeſterday by a member of the court; nor could any perſon be more aſoniſhed than myſelf. It is my anxious wiſh to have this matter fully inveſtigated; and for that purpoſe I deſired the Maſter of the Formidable, and the Mate who made the entries in the log-book, to attend this morning; and that, in giving their evidence upon this point, they may be put to the ſevereſt teſt, I deſire they may be examined by the court and Adm. Keppel, without any previous queſtions from me."

Mr Forſar, the Maſter of the Formidable, being called in, Adm. Keppel ſaid, that his reaſon for troubling the court the preceding day, when he requeſted the Maſter of the Formidable might be immediately interrogated reſpecting that alteration, was to prevent any intermediate communication between him and others upon that ſubject; he therefore deſired to know, "Who was the perſon who firſt acquainted him, that the court had diſcovered any extraordinary circumſtance relating to the book; and whether, and with whom, he had any converſation upon that ſubject before the riſing of the court the evening before?" The witneſs anſwered, That he had heard a woman mention it to another in a ſhop where he had been; that it was between one and two o'clock, at that time, and he immediately came into court, into the witneſſes room, that he might be ready to attend if he ſhould be called; that, in his way, he met the Maſter of the Foudroyant, who told him, "he thought he ſhould be wanted on that buſineſs;" that he ſpoke to no other perſon till he came into the witneſſes room, where he ſaw Capt. Walſingham, who told him, "he ſuppoſed he was come about the log-book;" that he had no other converſation with any perſon about it, [illegible] the court broke up, when he converſed upon it with Capt. Bazeley, at his lodgings, next door to the Vice-Admiral's; ſhortly after which he went to Sir Hugh Palliſer's houſe.

Proſecutor. "I can ſave the troubling the court, by admitting I talked to him, and inquired about it."

The Admiral, however, wiſhing, in conformity with Sir Hugh Palliſer's deſire, to be minutely ſtrict in his inquiries, proceeded in his interrogations; by which it appeared, that the witneſs had been at Sir Hugh Palliſer's, about an hour and a half; that their converſation was in the preſence of almoſt all the officers of the Formidable, Counſellor Hargrave, and Mr Aſtley, the Vice-Admiral's ſolicitor. Amongſt the officers who were preſent, he mentioned particularly Capt. Bazeley, Meſſ. Dickenſon, Waller, and Hill, his firſt, ſecond, and third lieutenants; Meſſ. Meredith and Holmes, two lieutenants of marines; and Meſſ. Thomas and Hartwell.

The work of the 25th and 26th, he ſaid, had been copied from the log-board into the log-book as uſual; but from the hurry of all the people on the day of action and the following day, the work of the 27th and 28th was not entered till the 30th; when, perceiving that in the two days work already entered, he had omitted the minutes of ſignals taken by the two midſhipmen who had been appointed for that purpoſe, he took out the leaves, and entered the work again; in doing which he ſpilled ſome ink on the next blank leaf, which he alſo cut out on that account; and having re-entered the work of the 25th and 26th, exactly as it ſtood before, only with the addition of the ſignals, he ruled two pages for the work of the 27th and 28th; but finding it not ſufficient to fill two pages, he put the two days work into one page. The reaſon that the log-board of the 27th and 28th had not been copied ſooner into the book than the 30th, was, that he took it firſt on a ſheet of paper, according to cuſtom, in order to ſhew it to the Captain and Vice-Admiral, before he entered it in the log-book; that which he had ſo taken off, was approved of by them, with ſome little addition reſpecting ſignals and time; the particulars of which he could not then preciſely recollect; but he proved, that the work, as it appeared corrected, was preciſely the ſame as it ſtood then on the log book on their table.

There

There had been minutes of ſignals taken on board before they began action, but none that he ſaw afterwards, unleſs by recollection. There was another log-book belonging to the ſhip, copied from that on the table a day or two after the engagement, and was exactly the ſame, except in the circumſtance of three ſhips, whoſe ſignals were made to chaſe on the morning of the 28th, and ſoon after haul ed down. This remark was not ſet down in the book which had been given in to court, but was interlined in the other book, about the time the fleet arrived at Spithead. This interlineation was the reaſon of his giving in the one in preference to the other, as he could ſwear that the one given in was without alteration or addition, but could not ſay ſo of the book which was ſo interlined, though in every other reſpect the two books were alike, and equally authentic.

The priſoner and proſecutor then mutually deſiring that the other book ſhould be alſo left on the table, the court aſſented to it accordingly.

One of the court then remarked, that in the work of the 27th, in the log-book, there was no minute of any ſignals but two; that for chaſing in the morning, and that in the evening, for ſhips to windward to bear down; and upon queſtioning the witneſs with regard to this omiſſion, he declared, that he knew of no minutes for ſignals being taken, except from recollection, from the time the engagement began; thoſe two midſhipmen who uſed to take them, were after that, time obliged to attend other duties, being the only two midſhipmen to be depended on in the ſhip.

Sir Hugh Palliſer then deſired the witneſs ſhould be aſked, Whether he knew, or had any reaſon to believe, that Capt. Bazeley, or his Vice-Admiral, had any knowledge of the leaves being cut out of the log-book, until that circumſtance appeared the evening before on the trial?

The witneſs anſwered, that he believed they had not.

Adm. Keppel having done with this witneſs, addreſſed the court thus.

"Mr Preſident, I ſhall aſk no more queſtions concerning the matter; but I cannot help expreſſing my ſurpriſe, that the midſhipmen ſhould only take down the ſignal to chaſe, which the proſecutor dwells on ſo much, omitting all the others upon which they were called together again during the reſt of the day. And I have only one more obſervation to make upon the accuſer's addreſs to the court: His offer was intended to carry the appearance of candour, when he requeſted that the Maſter might be expoſed to the ſtricteſt examination by the court, and me, without any previous queſtions by himſelf; whereas it now turns out, juſt as I expected yeſterday, when he reſiſted my application to call the Maſter inſtantly, that he has been previouſly examined already by Sir Hugh Palliſer and his friends."

Sir Hugh Palliſer replied, "The poſtponing the examination of the Maſter yeſterday was the act and propoſition of the court, before I ſaid any thing. As to my ſpeaking to the Maſter ſince that time, about cutting out the leaves, it was very natural that I ſhould make an inquiry into a fact, which I was before ſo totally ignorant of till yeſterday, and ſo much ſurpriſed at. I ſhall continue to give the court the utmoſt information and ſatisfaction upon that point; and for that purpoſe I have ſent expreſſes to endeavour to find the midſhipman who ſucceeded the two that made the ſignal-minutes, and who is now ſuppoſed to be in poſſeſſion of them. He is ſuppoſed to be ſomewhere on board a tender in Wales, or on board ſome other ſhip: I ſhall take every ſtep in my power to find him out, and obtain, if poſſible, the original minutes, which he carried with him from the ſhip.

The Maſter then, on the interrogation of Admiral Montagu, declared, that the obſervations in the Formidable's log-book upon the 27th of July, were not only approved, but corrected, by the Vice-Admiral, it appearing from thoſe obſervations, that the Admiral had done all in his power to come up with, and engage the enemy, from the time they came in ſight till the two fleets came to action. After which the witneſs withdrew; and Mr Winkworth, one of the midſhipmen who took the minutes, was called by the proſecutor, to give further ſatisfaction to the court, and to Adm. Keppel, reſpecting the minutes of ſignals taken by him: when the Admiral ſaid he had nothing to aſk of him then; but if the minutes he had taken could be found at any time during the trial, it might perhaps be neceſſary to examine him at that time.

Adm. Keppel on the Robuſte's log-book.

Lieut. Thomas Lumley of the Robuſte was examined by Adm. Keppel, Feb. 8. to aſcertain the alterations made in that ſhip's log-book [156.]. The Judge-Advocate took the original book, and the witneſs the other, and compared them. Many alterations were apparently made, but the moſt material was, In the book delivered in by the Maſter of the Robuſte, it ſays, "At ſix o'clock bore down into our ſtation in the line, which we kept all night as well as a diſabled ſhip could do, the Admiral making *much ſail*." The book of Lieut. Lumley, and which he ſwore was an exact copy of the original before the new leaf was put in, ſays, "At ſix o'clock tacked and bore down into our ſtation in the line;" and no mention was made of carrying much ſail. Another material alteration was, the original book mentioned, that "on the morning of the 27th the Admiral made a ſignal for the Blue ſquadron to chaſe;" whereas the alteration made it "for ſix or ſeven ſhips only," upon which Sir Hugh Palliſer grounds one of his articles, that he was left to go into action with only three or four ſhips.

Mr Arnold, Maſter of the ſhip, was alſo called, to prove, that the alterations were made by the Captain's order; and, upon his croſs-examination, he acquainted the court, that when they were made, Capt. Hood made this obſervation,—That he only wiſhed the log-book to be correct; and that, turning to him, and the firſt lieutenant, he ſaid, he ſuppoſed they could atteſt this; when the witneſs anſwered he could,—meaning, he ſaid, only ſuch part of them as fell within his obſervation; but not having been upon deck during the night after the engagement, he did not venture to atteſt that part of it which related to the ſail made by the Admiral.

Adm. Keppel then addreſſed the court: "Capt. Hood ſays, (ſaid the Admiral), he corrected his log-book in his own protection, not knowing but he ſhould appear at your bar as a priſoner inſtead of a witneſs: but I appeal to the court, whether the alterations and additions be ſuch as can ſupport the poſſibility of ſuch a motive.—How could the inſertion or omiſſion of the ſignal in the morning of the 27th, for ſeveral ſhips of the Vice-Admiral of the Blue's diviſion to chaſe to windward, inſtead of the whole Blue ſquadron, on which my accuſer founds his firſt charge, poſſibly affect the character or conduct of Capt. Hood? How much leſs could the three French ſhips being ſeen, or not ſeen, very near us, on the morning of the 28th? He ſurely never could be anſwerable for their eſcape. But theſe additions I lay no other ſtreſs upon than to ſhew, that they could not be made for the purpoſes which Capt. Hood has ſtated to the court. But one remains of a very different complexion. It is the addition of a circumſtance which conſtitutes a capital charge againſt me, and which, if it miſſed my life, could not fail to deſtroy what is much dearer than life to every man who deſerves to live. It is, beſides, the addition of a circumſtance, which, though Capt. Hood has called it a fair and faithful repreſentation, has been proved by a cloud of witneſſes, to be wholly unfounded in fact; and, what is worſe than all, has been this moment proved by the poſition of the Robuſte in the morning of the 28th, to be a circumſtance in which Capt. Hood could have no poſſible perſonal intereſt. Had the Robuſte fallen aſtern in the night, the addition, though not the leſs criminal, would at leaſt have been reconcileable with his account of its being done in his own protection. But when, inſtead of her being ſtruggling to keep her ſtation as a diſabled ſhip, from the Victory's making *much* ſail, ſhe has been proved to have run miles ahead of it during a ſhort night, I am intitled to ſay, that ſuch motives, could not have produced the addition. I am ſure I wiſh he could have formed one to protect it. I declare it is a ſubject of ſorrow to me, that an indiſputably brave and uſeful officer, which I know and acknowledge him to be, and which on that day he approved himſelf to be, a man with whom I had lived in a familiar friendſhip, ſhould have been led, by the deſigns of others, into ſuch a ſnare; and I can aſſure the court, and the public, I have ſearched to the bottom of it only for the ſafety of the ſervice."

Proſecutor. This is a matter that tends to affect Capt. Hood; I hope the court will allow more witneſſes to be called, to elucidate the matter more fully.

Preſident. It does not appear from any thing the Admiral has ſaid now, it has affected Capt. Hood at all; it appears to me to be ſpoke to his credit.

Proſecutor.

Proſecutor. It is ſuppoſed he has inſerted falſe things in his log-book.

The Admiral. The court are the beſt judges of that which appeared upon evidence.

Adm. Montagu. What Capt. Hood has declared does not come before us. If Capt. Hood has done a wrong thing and a bad thing, he muſt acquit himſelf to the world in the Morning Poſt, or the General Advertiſer, or ſome of the public papers: it does not come before this court. There are miniſterial and antiminiſterial papers; he will acquit himſelf in them if he can.

Proſecutor. It attacks the credibility of Capt. Hood, and charges him with aſſerting a falſehood.

Adm. Montagu. It is not a matter we can take cogniſance of at all: if he has done wrong I am ſorry for it.

Proceedings at the cloſe of the evidence.

Jan. 29. *Proſecutor.* Mr Preſident, I have now finiſhed my evidence; I have prepared a few words by way of addreſs to the court, which I deſire the Judge-Advocate may be permitted to read.

The Admiral. Mr Preſident, The evidence upon the part of the accuſation being now cloſed, I truſt it is not preſumptuous in me to declare, that I do not reſiſt the proſecutor's claim to addreſs the court by a ſpeech, from any imagination of danger to me; but as I have never known nor heard of any ſuch attempt in any court-martial before, and as ſuch permiſſion may be attended with ill conſequences in others that may be governed by the precedents of this, I truſt my cauſe, that is ſufficiently new in many reſpects, will not be diſtinguiſhed with any ſuch innovation.

Proſecutor. Conceiving myſelf intitled to addreſs the court at the cloſe of the evidence for the crown, I cannot conſent to wave it, but muſt take the opinion of the court.

The Admiral. I mean, that my accuſer has no right to make a ſpeech as to the merits of the caſe in any part of this cauſe.

The court withdrew, and came to the following reſolution:

Judge-Advocate. It not occurring to any member of the court it has ever been the uſage of a court-martial to receive any thing upon the part of the accuſer, after declaring he had gone through all the witneſſes in ſupport of the charge, it is upon this occaſion agreed, that the paper now offered by the accuſer cannot be admitted.

Feb. 8. *The Admiral.* Mr Preſident, I have now cloſed my evidence, and ſhall make no obſervations upon it; I ſubmit the whole to the wiſdom and juſtice of the court.

Proſecutor. Mr Preſident, There being no other witneſſes to examine, it is my intention to addreſs the court with ſome obſervations, as well upon the evidence, as upon the Admiral's defence; for which purpoſe I beg to be indulged by the court with a ſhort time finally to prepare myſelf. If the trial had not run into ſo extraordinary a length, I ſhould not wiſh for longer time than till to-morrow; but for ſuch a maſs of evidence to be obſerved upon, I hope the court will not think it unreaſonable to indulge me to Wedneſday, more eſpecially as the Admiral has thought fit to defend himſelf by criminating me.

The Admiral. I am entirely in the judgement of the court with reſpect to my accuſer's right to reply; I believe it is unprecedented in naval courts-martial. Even in the caſe of Adm. Byng, where I was (unluckily for myſelf, at leaſt I reckon it unlucky where ſuch a ſentence was paſſed) a member of that court-martial [19. 45.], the proſecution was carried on in the name of the crown by the ſecretary of ſtate, no ſuch attempt was made, and I am at a loſs to conceive upon what it is Sir Hugh Palliſer founds ſuch an unprecedented claim.

The court withdrew upon the queſtion.

When the court were returned, the Judge-Advocate read the following reſolution.

The court having declared in a former reſolution they came to in the courſe of this trial, when the proſecutor ſaid he had gone through all his witneſſes he ſhould produce in ſupport of the charge, that his paper then offered by the proſecutor could not be admitted; and the court continuing of the ſame opinion, have agreed, and now it is declared, the evidence upon the part of the proſecutor in ſupport of the charge, and of the defence, is cloſed, that nothing more by way of addreſs can be received.

The principal witneſſes examined.

On the part of the proſecution.

Capt. —— Marſhall, of the Arethuſa
Sir William Burnaby, of the Milford
Robert Digby, of the Ramillies
Thomas Winoſor, of the Fox
Alexander Hood, of the Robuſte
Jn. Carter Allen, of the Egmont
Mark Robinſon, of the Worceſter
John Bazeley, of the Formidable
Sir Richard Bickerton, of the Terrible
Sam Cranſton Goodall, of the Defiance
Sir John Lockhart Roſs, of the Shrewſbury
Joſ. Peyton, of the Cumberland
Evel. Sutton, of the Proſerpine
Conſtantine John Lord Mulgrave, of the Courageux
Edward Michael Lord Longford, of the America

On the part of the priſoner.

Sir Robert Harland, Vice-Admiral of the Red, of the Queen
Rear-Adm. John Campbell, of the Victory
Capt. Jonathan Faulkner, of the ſame
Sir John Lindſay, of the Prince George
Hon. Fred. Maitland, of the Eliſabeth
John Latorey, of the Ocean
James Bradly, of the Pluto
Richard Edwards, of the Sandwich
Hon. Robert Boyle Walſingham, of the Thunderer
Michael Clements, of the Vengeance
John Macbride, of the Bienfaitant
Hon John Leveſon Gower, of the Vaſant
John Jervis, of the Foudroyant
Robert Kingſmill, of the Vigilant
Sir Charles Douglas, of the Stirling Caſtle
Philip Coſby, of the Centaur
John Neal Pleydell Nott, of the Exeter
Hon. Keith Stewart, of the Berwick
Sir John Hamilton, of the Hector

Beſides the above gentlemen, who were all eye-witneſſes of the action, there were ſeveral purſers, lieutenants, maſters, &c. &c.

Recapitulation of the evidence.

The honourable teſtimonies of ſo many great and gallant officers who were eye-witneſſes of the Admiral's conduct from the time the French fleet was diſcovered, to the moment of their making their eſcape, will juſtify the honourable acquittal of the Admiral, not only to the preſent times, but to poſterity: all other queſtions, therefore, relative to particular manœuvres; ſuch as, attacking the enemy in diſorder; ſeparating a part of the Vice-Admiral's diviſion of the Blue from their flag; paſſing the rear of the enemy too far before he returned to renew the fight on the 27th; wearing again and ſtanding from the enemy; carrying too much ſail after the action, and thereby rendering it impracticable for the Vice-Admiral of the Blue with his diviſion to take their ſtation in the line; not chaſing the enemy in the morning of the 28th when they fled to Breſt; and ſuffering three ſhips to eſcape that remained after the main body of the French fleet were out of ſight; — all theſe charges were frivolous and unſupported: —— It was proved, by the almoſt unanimous teſtimony of the principal witneſſes, that if the Admiral had not engaged the enemy as he did, he could not have engaged them that day, and probably not at all; it was proved, that the Admiral's was the firſt ſhip of his own diviſion that wore after paſſing the rear of the enemy, and that when he wore he had not a ſufficient force to ſupport him in a ſecond attack; it was proved, that the Admiral's wearing again, and ſtanding from the enemy, was a neceſſary manœuvre for the protection of five crippled ſhips, without which ſome of them muſt have fallen into the enemy's hands; it was proved, that the Admiral, during the whole afternoon of the 27th, uſed the moſt forcible means in his power for collecting his fleet together after the action, in order to re-attack the enemy, by keeping the ſignal for forming the line flying the whole time; which ſignal it was proved was not obeyed by the Vice-Admiral of the Blue, though a particular meſſage was ſent to let him know that the Admiral only waited for his taking his ſtation to renew the action; it was proved, that the Admiral carried no more ſail on the ſtarboard tack than was neceſſary for the protection of the crippled ſhips, and for making way for the diſordered ſhips to take their ſtation in the line; it was proved, that in the morning of the 28th the French fleet were out of ſight of all but two ſhips, and by thoſe only diſcernible from the maſt-head, and conſequently *impoſſible* to have been overtaken by the Engliſh fleet, had it been compoſed of clean ſhips from the dock, and all in perfect repair, much leſs by a fleet compoſed of ſhips near one half of which had been twelve months foul, and ſome of them two years, beſides being diſabled in their maſts and rigging by the e-

nemy's

nemy's fire; and it was proved, that orders had been given for the Prince George, Eliſabeth, and Bienfaiſant, to which the Duke was afterwards added, to chaſe the three remaining ſhips; but Capt. Macbride of the Eliſabeth, and Capt. Lindſay of the Prince George, after the ſignal was made, having acquainted the Admiral with the crippled ſtate of their ſhips, the Bienfaiſant was called off, as hazardous to chaſe with the Duke alone, who was a heavy ſailor, but made choice of as the only ſhip that was known *not* to have received damage in the action. Theſe leading facts being fully proved, it were unneceſſary for us to enter upon the diſcuſſion of naval manœuvres which few of our readers underſtand, and fewer ſtill think of conſequence enough to have taken up ſo much of the time of the court at ſo critical a juncture. *Gent. Mag.*

The Sentence, &c.

The court met on Tueſday, Feb. 9. with all the parties attending, and adjourned to the next morning at ten. — The court met again on Wedneſday at ten, and adjourned to Thurſday at eleven. — Sir Hugh Palliſer did not attend after Tueſday.

The court met at eleven o'clock on Thurſday, Feb. 11. being the thirty-firſt day of their proceedings. The Judge-Advocate was deſired by the Preſident to read the opinion of the court-martial; which he did in the following words.

"At a Court-Martial aſſembled on board his Majeſty's ſhip Britannia, the 7th of January 1779, and held by adjournment at the houſe of the Governor of his Majeſty's garriſon at Portſmouth, every day afterwards, Sundays excepted, to the 11th of February 1779, inclusive,

PRESENT,

Sir Thomas Pye, Admiral of the White, Preſident.

Matthew Buckle, Eſq; Vice Admiral of the Red till the cloſe of the ſixth day, when he became unable any longer to continue his attendance, on account of ſickneſs.

John Montagu, Eſq; Vice-Admiral of the Red

Mariot Arbuthnot, Eſq; Robert Roddam, Eſq; Rear-Admirals of the White.

Captains Mark Milbanke, Taylor Penny, William Bennet, Philip Boteler, Francis Samuel Drake, John Moutray, Adam Duncan, James Cranſton.

The Court, purſuant to an order of the Lords Commiſſioners of the Admiralty, dated the 31ſt of December 1778, and directed to Sir Thomas Pye, proceeded to inquire into a charge exhibited by Vice-Admiral Sir Hugh Palliſer, againſt the Honourable Auguſtus Keppel, for miſconduct and neglect of duty on the 27th and 28th of July 1778, in ſundry inſtances, as mentioned in a paper, that accompanied the ſaid order, and for trying the ſame; and on the ſeventh day of the trial, Adm. Buckle, one of the members of the ſaid Court, falling ill, the reſt of the members reſolved to proceed without the ſaid Adm. Buckle; and the Court having heard the evidence in ſupport of the charge, and the priſoner's defence, and maturely and ſeriouſly conſidered the whole, are of opinion, that the charge is malicious and ill-founded; it having appeared, that the Admiral, ſo far from having, by miſconduct and neglect of duty, on the days therein alluded to, loſt an opportunity of rendering eſſential ſervice to the ſtate, and thereby tarniſhed the honour of the Britiſh navy, behaved as became a judicious, brave, and experienced officer. The Court do therefore unanimouſly and honourably acquit the ſaid Admiral Auguſtus Keppel of the ſeveral articles in the charge againſt him; and he is hereby fully and honourably acquitted accordingly."

GEO. JACKSON, Ju. Ad.

Thomas Pye	*Taylor Penny*
J. Montagu	*John Moutray*
Mariot Arbuthnot	*William Bennett*
Robert Roddam	*Adam Duncan*
Mark Milbanke	*Ph. Boteler*
Fran. Samuel Drake	*James Cranſton*

The Preſident (Adm. Sir Thomas Pye) then addreſſed himſelf to the Admiral in the following words, delivering to him his ſword at the ſame time:

"Admiral Keppel,

It is no ſmall pleaſure to me to receive the commands of the Court I have the honour to preſide at, that, in delivering to you your ſword, I am to congratulate you on its being reſtored to you with ſo much honour; hoping, ere long, you will be called forth by your ſovereign to ſhew it once more in the defence of your country."

The Admiral received the thanks of both Houſes of Parliament, and of the city of London; which, with his anſwers, we inſert, viz.

LORDS.

LORDS.

The Lord Chancellor's Letter.

SIR,

I have the ſatisfaction to have received the commands of the Houſe of Lords, *nemine diſſentiente*, to tranſmit to you the thanks of their Lordſhips for your conduct in defending this kingdom, protecting its trade, and maintaining the honour of the Britiſh flag, expreſſed in the fulleſt and higheſt ſenſe of applauſe.

No private voice can add to ſo ſplendid an encomium; — permit me, however, to congratulate you on this diſtinguiſhing mark of approbation, which a grateful country confers on your zeal and merit in the ſervice of the public.

I have the honour to be, Sir, your moſt obedient humble ſervant,

Ormond-ſtreet, Feb. 16. 1709. THURLOW.

Die Martis, 16° Februarii, 1779.

Ordered, *nemine diſſentiente*, by the Lords Spiritual and Temporal in Parliament aſſembled, That the thanks of this Houſe be given to the Hon. Admiral Auguſtus Keppel, for his diſtinguiſhed courage, conduct, and ability, in defending this kingdom in the courſe of the laſt ſummer, effectually protecting its trade, as far as his command extended, and more particularly for his having glorioufly upheld the honour of the Britiſh flag on the 27th and 28th of July laſt; and that the Lord Chancellor do cauſe the ſame to be tranſmitted to the ſaid Admiral.

The Admiral's Anſwer.

My LORD,

The very diſtinguiſhed notice which the Houſe of Lords has been pleaſed to take of my ſervices in the courſe of the laſt ſummer, confers on me the higheſt honour. The advantages which their Lordſhips have thought worthy of their thanks, are due to God's bleſſing, to the gallant behaviour of many great and able officers who ſerved in the fleet, and to the bravery of the ſeamen. I can only ſay, that the warmeſt gratitude for this great honour and favour will make me ever deſirous of meriting it, by the moſt ſtrenuous endeavours to ſerve my country. I beg leave to return your Lordſhip my beſt thanks for the flattering and polite manner in which you have been pleaſed to communicate to me the reſolution of the Houſe.

I have the honour to be, with much reſpect, your Lordſhip's moſt obedient, and very humble ſervant,

Audley-ſquare, Feb. 17. 1779. A. KEPPEL.

To the Rt Hon. Lord Thurlow, Lord Chancellor.

COMMONS.

Mr Speaker to the Admiral, Feb. 18.

ADMIRAL KEPPEL,

This Houſe have done you the diſtinguiſhed honour of ordering their thanks to be given to you, an honour never conferred but upon extraordinary merit; which thanks it is my duty to communicate to you in your place.

After having ſat ſo long in this chair, I hope it is unneceſſary to declare, that I have been always happy to obey the orders of the Houſe; and I have now a particular ſatisfaction in that obedience; — indeed, every generous mind muſt feel ſatisfaction, when the day of honourable acquittal ſucceeds to the day of ſevere trial: and this pleaſure was, I believe, never more general, nor more ſincere, than upon the preſent occaſion.

You, Sir, was called by your Sovereign, with the approbation of all deſcriptions of men, particularly thoſe of your own profeſſion, to a ſtation of the utmoſt difficulty, and of the higheſt importance. The ſafety of this country, and the honour of the Britiſh flag, were truſted in your hands, when the enemy was expected upon our coaſt; and, notwithſtanding the moſt able diſcharge of this great and momentous truſt, you was accuſed of miſconduct and neglect of duty. But, after a very long and full inveſtigation, by men in every reſpect the beſt qualified to judge, that charge appeared to be ill-grounded and malicious; and your judges have unanimouſly and honourably acquitted you; and have further added, that your conduct on the 27th and 28th days of July laſt was that of a judicious, brave, and experienced officer. Surely, then, it cannot be matter of ſurpriſe that extraordinary marks of reſpect and eſteem are ſhewn to ſuch a character. We now know with certainty that our confidence in you was not miſplaced; and we entertain a well-grounded hope, that there ſtill remain amongſt the naval officers talents and abilities fully equal to this dangerous criſis.

Amidſt this general joy, I cannot help repeating the ſingular pleaſure which I feel

feel in giving you the thanks of this Houſe, which I now do, for your diſtinguiſhed courage, conduct, and ability, in defending this kingdom in the courſe of the laſt ſummer, effectually protecting its trade, and more particularly for your having glorioufly upheld the honour of the Britiſh flag on the 27th and 28th of July laſt.

The Admiral's anſwer, in his place.

Mr SPEAKER,

It is impoſſible, by any expreſſions I can uſe, to do juſtice to my feelings of gratitude to the Houſe for the honour they have done me by their approbation of my conduct.

The good opinion of my fellow-citizens, expreſſed by the repreſentatives of the nation, cannot but be received by me as a moſt acceptable addition to the ſatisfaction I felt in the recent ſentence, to which you have been pleaſed to allude, of a court-martial; the reſult of a full and deliberate inquiry, expreſſive of their ſentiments of the ſubject referred to their examination, in terms equally honourable to themſelves and to me.

The pleaſure I feel at this moment is not a little heightened by the unavoidable recollection of the very different emotions I felt when I was laſt in this Houſe, and in this place. [93.]

I ſhould be guilty of great injuſtice, if, on an occaſion like the preſent, I neglected to inform this Houſe, that my efforts for the public ſervice, in the inſtances in which the Houſe has been pleaſed to diſtinguiſh them, were moſt zealouſly ſeconded by many as gallant and able officers as the navy of England ever produced; to whoſe attention and ſpirit, next to the Divine Providence, the ſucceſs of theſe efforts ought to be in a great meaſure aſcribed.

I cannot ſit down without returning to you, Sir, perſonally, my particular thanks, for the very, very obliging terms in which you have executed the commands of the Houſe.

LONDON CITY.

An addreſs by a committee of the common council, delivered by Mr Croſby, the ſenior Alderman, to the Admiral, at his houſe, Feb. 20.

ADMIRAL KEPPEL,

The Citizens of London, amidſt the acclamations of a grateful people, beg leave to expreſs their joy on your honourable acquittal from a very heavy and ſevere charge of neglect and miſconduct on the 27th and 28th of July laſt; a charge which appeared on your trial to be ill-founded and malicious.

The Committee, Sir, who now have the honour to wait on you by order of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council aſſembled, are happy in this opportunity to teſtify their approbation of your conduct in the many ſignal ſervices done to your country.

I think, Sir, I cannot expreſs their ſentiments better, than by reading to you the unanimous reſolations of the Court of Common Council,—[of Feb. 12. viz.]

"That the thanks of this Court be given to the Hon. Auguſtus Keppel, for his long and faithful ſervices to his country; for his ready acceptance of the command of the Britiſh fleet at the requeſt of his Sovereign, at a time when the nation was in imminent danger; for the earneſt attention that appeared in every inſtance of his conduct for the ſafety of this country; for his able, judicious, and ſpirited behaviour on the 27th of July laſt, in his attacking the French fleet; for his gallant efforts to reattack in the afternoon of that day, efforts rendered abortive for the want of obedience to his orders by the Vice-Admiral of the Blue; for the protection given by him to our trade, to which alone we are indebted for the ſafe arrival of the Eaſt and Weſt India fleets; for his animating conduct, and example, happily followed by ſuch ſignal exertion and ſpirit in the officers and ſeamen in the Britiſh fleet, as conveyed terror to our enemies, and obliged them to ſeek ſhelter in their own port by an ignominious flight."

The Admiral's anſwer.

I receive, with the greateſt ſenſe of gratitude, the approbation which the City of London has been pleaſed to ſhew of my endeavours to ſerve my King and Country. The conſtitutional zeal which this great city has ever teſtified for the liberties of this kingdom, and for the ſucceſſion in his Majeſty's royal houſe, renders every mark of their regard a very high honour. I am happy, that the care of many excellent officers, and brave ſeamen, under my command, laſt ſummer, has contributed to the preſervation of their trade, which makes ſo large a part of the national intereſt.

The committee at the ſame time preſented the Admiral with the freedom of the city in a box made of HEART OF OAK, richly ornamented, and embelliſhed with gold, with a proper device to the honour of the Admiral.

Extracts of letters from Sir Hugh Palliſer to Adm. Keppel.

Formidable, at ſea, Oct. 5. 1778.

—Theſe prizes coming in our way are not unacceptable, but I know you would rather meet the French fleet. I am, &c.

HUGH PALLISER.

Pall-mall, Nov. 3. 1778.

—I think myſelf ſo much intitled to have my conduct on the day we engaged the French fleet juſtified by you, Sir, as Commander in Chief, from thoſe foul aſperſions, that I confeſs I have been expecting your offer to do it. I have waited for your coming to town to aſk it: being now informed of your arrival, I loſe no time in deſiring you will contradict thoſe ſcandalous reports that have been propagated as aforementioned, by publiſhing in your own name the incloſed paper, which I have the honour to incloſe herewith, or ſomething to that effect, that may be more agreeable to you, and as may be agreed on if you will permit me the honour to wait on you tomorrow morning.

I muſt beg the favour of your ſpeedy anſwer, that my honour and reputation may not be farther wounded by delays. I am, &c.

HUGH PALLISER.

"HAVING ſeen a paragraph in the General Advertiſer of the 15th of laſt month [40. 624.] highly reflecting on the conduct of Vice-Admiral Sir Hugh Palliſer, on the 27th of July laſt, when the fleet under my command engaged the French fleet; and the Vice-Admiral having informed me, that reports to the ſame purpoſe have been propagated by ſome of the officers of the Victory; I think it neceſſary, in juſtice to Sir Hugh Palliſer, to publiſh to the world, that his conduct on that day was in every reſpect proper, and becoming a good officer; and I further declare, that when I made the ſignal in the evening for the ſhips to windward to bear down into my wake, and afterwards for particular ſhips of Sir Hugh's diviſion to do ſo, he repeated thoſe ſignals properly: and that the calling his and Vice-Admiral Sir Robert Harland's diviſion into my wake in the evening, was not for the purpoſe of renewing the battle at that time, but to be in readineſs for it in the morning; that, in obedience to the ſaid ſignals, ſuch of the ſhips of Sir Hugh Palliſer's diviſion as were in condition for it, did immediately bear down, as did the reſt ſo ſoon as they were able, ſo that Sir Hugh Palliſer and his whole diviſion were all in my wake accordingly the next morning before day-light, ready for engaging."

The PEDLAR and his ASS.

From Percival's *Moral Tales.*

IT was noon-day, and the ſun ſhone intenſely bright, when a Pedlar, driving his Aſs laden with the choiceſt Burſlem ware, ſtopped upon Delamere foreſt to take ſome refreſhment. He ſat down upon the turf, and after conſuming the proviſions in his ſatchel, emptied his dram-bottle, and then compoſed himſelf to ſleep. But the Aſs, who had travelled many a wearifome mile without taſting a morſel of food, remained muzzled by his ſide, wiſtfully viewing the bloſſoms of furze which grew in great abundance around them. Fatigue and heat however overpowered the ſenſations of hunger, and drowſineſs ſtole upon him. He kneeled down, and doubling his legs under him, reſted upon his belly in ſuch a poſition that each of the panniers which he carried touched the ground, and was ſecurely ſupported by it. But his ſlumbers were of ſhort duration. An angry hornet, whoſe neſt had been that morning deſtroyed, perched upon his back, and ſtung him to the quick. Rouſed by the ſmart, he ſuddenly ſprung up, and by this violent motion produced a loud jarring of the earthen ware. The Pedlar awaked in conſternation, and, ſnatching his whip, began to laſh the Aſs with mercileſs fury. The poor beaſt fled from his ſtripes, and was heard of no more; the panniers were thrown off; and the Burſlem ware was entirely demoliſhed. —Thus did inhumanity, lazineſs, and paſſion, meet with deſerved puniſhment. Had the Pedlar remembered the craving hunger of the Aſs, when he gratified his own; or had he purſued with diligence his journey after finiſhing his repaſt, no part of theſe misfortunes would have befallen him. And his loſs might have been inconſiderable, if unjuſt ſeverity and raſh reſentment had not completed his ruin.

NEW

NEW BOOKS. [214.]

Antient Metaphyſics; or, The ſcience of Univerſals. With an Appendix, containing an examination of the principles of Sir Iſaac Newton's philoſophy. [*By L—d M——e.*] *Vol.* I. 4to. 1 *l.* 1 *s. in boards.* Printed at Edinburgh: Cadell, London; Balfour & Co. Edinburgh.

METaphyſics, I know, (ſays the Hon. Author, in his Introduction), are, at preſent, in great diſrepute among men of ſenſe, from the uſe that of late years has been made of them. Young men who get a little ſmattering of this ſcience, are apt to abuſe it very much, diſputing againſt every thing, even the cleareſt truths, and, like puppies, (to uſe an expreſſion of Plato), pulling and tearing whatever they can lay hold of. Some elderly men, too, of little learning, and much vanity, affect to diſtinguiſh themſelves, by ſingular opinions, and refuting all vulgar notions; among which they reckon the belief in God and his providence. But the metaphyſics I here deliver are of a different kind, and which therefore I have intitled *Antient Metaphyſics*, where it is hoped the reader will find nothing adverſe, either to natural or revealed religion; but, on the contrary, I truſt, that, from thoſe antient maſters, I have learned the pureſt theology, and ſhall, upon their principles, be able to eſtabliſh, not only the great truths of Natural religion, but ſome of the fundamental doctrines of Chriſtianity.

The work will be divided into three parts. The *firſt* of which, contained in this volume, will explain the ſubject of Metaphyſics, its nature, and extent; and will lay down the general principles of the ſcience.

In the *ſecond* part, I propoſe to treat of Man; —and, through Man, to proceed to God and Nature; —which will be the ſubject of my *third* and *laſt* part.

In the *ſecond* part, I propoſe to conſider Man in a more extenſive view than he has hitherto been conſidered by writers upon morals and politics, not only as a ſpecies of animal by himſelf, but as a part of the ſyſtem of the univerſe, and containing in himſelf a type, as it were, or model, of the whole ſyſtem; for it was an antient notion, and which, I think, I have ſhown to be true, even in this part of my work, "That man is, in himſelf, a little world, being compoſed, not only of the four elements, but of the vegetable, the animal, and the intellectual life." And in that part of my work I hope to make it appear, that what I have advanced in another work is true, "That it would not be according to the order of Nature, if theſe *three* ſhould operate at once in Man, but that there muſt neceſſarily be a progreſs from the *vegetable* to the *animal*, and from the *animal* to the *intellectual*, not only in the *individual*, but in the *ſpecies*."

The firſt part of my work, contained in this volume, is divided into five books. The *firſt* gives an account of the nature of the ſcience; explains what Body, Mind, and Motion, are; and gives the definitions of ſeveral other terms uſed in this work.

In the *ſecond* book, I treat of the conſtituting and elementary principles of this univerſe; or, in other words, of the efficient and material cauſes. And under this head I have ſpoken very largely of mind, the prime efficient cauſe of every thing in the univerſe.

The ſubject of the *third* book is the Categories, or the Univerſal Formal Cauſes of all things in Nature.

The *fourth* book treats of thoſe adjuncts of Nature, Time, Space, and Place.

The *fifth* book treats of the principles of Science and Certainty; and defends them againſt the cavils of ſophiſts and ſceptics, both antient and modern.

Dr Campbell's addreſs, continued. [214.]

I ſhall now take the freedom to conſider a little, with all reſpect to my eccleſiaſtical ſuperiors, the propriety of their interfering in this buſineſs.—I ſhall advert only to two things: firſt, to what ſuits the miniſterial character to do; and, ſecondly, to what will probably be the conſequences of the meaſure propoſed in the laſt aſſembly [40. 269.], if it ſhall now be adopted.

In regard to the former, it is the obſervation of an ingenious modern, that the magiſtrate and the paſtor are both denominated God's miniſters, but in very different ſenſes. The magiſtrate is the miniſter of divine juſtice, the paſtor is the miniſter of divine goodneſs and grace: A moſt juſt and pertinent obſervation. The former accordingly beareth not the ſword in vain; the latter cometh announcing peace through Jeſus Chriſt our Lord. The ſervice he is engaged in, is ſtyled *the miniſtry of reconciliation*. The former operates chiefly by fear, being the terror of evil-doers; the latter chief-

ly by love, in the diſplay he makes of the tender mercies of God and the love of Jeſus. There is a beauty in preſerving conſiſtency of character; and, on the contrary, there is ſomething ſingularly ſhocking to men whoſe taſte is not totally depraved, in a groſs violation of character. Sanguinary meaſures are, on certain occaſions, very ſuitable in the officer of juſtice; but it ill becomes the meſſenger of peace to breathe out, like Saul the Phariſee, (unconverted indeed, but not the leſs zealous), threatnings and ſlaughter. The ſenſe of what became a miniſter of the new covenant, a preacher of good-will to men, was ſo ſtrong on the minds of the primitive Chriſtians, that when our religion came firſt into favour with the magiſtrate, it was looked on univerſally as a becoming action in the miniſters, to uſe their good offices in behalf of an unhappy creature who had expoſed himſelf to the ſtroke of public juſtice, where-ever any favourable circumſtances could be pleaded in extenuation of his crime. But in no caſe whatever was it thought ſuitable that he ſhould interpoſe to call for vengeance. That the ſervant of the Prince of Peace ſhould prove a peacemaker, mediator, and interceſſor, was entirely conſonant to the nature of his office; but that he ſhould interpoſe as an avenger, or as an inſtigator of others to vengeance, or to violent and vindictive meaſures, was conſidered as a practical denial of the Lord that bought him, who came, not to deſtroy mens lives, but to ſave them, and as what ſuited more the character of that being whom they called the adverſary and accuſer of the brethren.

If, by ſome means or other, our legiſlature had been incited to think of impoſing new reſtraints, or inflicting new pains and penalties, on Papiſts, or on diſſenters of any denomination, it would have been excuſable, nay, on account of the motive, might have been thought praiſe-worthy, in the miniſters of religion, to repreſent, with all due reſpect, that they hoped, by the uſe of arms more evangelical, the end might be attained, and the public ſufficiently ſecured from danger. But the interpoſition propoſed at preſent is of a very different kind. To what ſhall I compare it? A culprit, more unfortunate than criminal, ſtands before his judge. The ſword is unſheathed, and ready to ſtrike. Several humane perſons intercede, mention every alleviating circumſtance, propoſe taking ſecurity of the convict that he ſhall behave himſelf properly, and beg that the ſword may again be ſheathed. The magiſtrate relents, and is on the point of complying; when a perſon of a grave aſpect interpoſes, who, though he carry the olive-branch, the enſign of peace, in his hand, with a countenance more ſtern than meek, to the ſurpriſe of every body, cries to the officer of juſtice, What are you going to do? No ſecurity can bind that wretch; and nowhere can the ſword of juſtice be ſheathed at this time ſo properly as in his bowels. This parable I leave to the reflections of my readers.

I ſhall add a few words on the conſequences of the application. I admit that, if made, it will poſſibly be ſucceſsful, not from any conviction of the propriety of making it, or of the fitneſs of what is aſked. But a flame, little to our credit, has been raiſed in the country; and it may be thought, that yielding to the humour, however reprehenſible, and granting what is aſked, is a leſs evil, than a poſitive refuſal might prove, eſpecially conſidering the ſtate of public affairs at preſent. But the queſtion of greateſt moment is, In what light will the application repreſent the ſpirit of our people in general, and this national church in particular, to the conſtituent branches of the Britiſh ſenate? It ſhould be remembered how different the fate of the like bill was in England, and even in Ireland, where that ſect, with ſome colour of reaſon, might have been accounted dangerous. But here! where comparatively they are ſo inconſiderable both in number and property—I could ſay a great deal, but I forbear. I will not diſſemble. I am both aſhamed and grieved, that there ſhould be occaſion to ſay any thing on ſuch a ſubject."

"By I know not what infatuation, (ſays the Principal, in his third [207.] chapter), it happens almoſt every where, that the bulk of the people ſeem diſpoſed to think, that if any ſect, how inſignificant however, were to enjoy the ſame freedom in its religious profeſſion with thoſe of the eſtabliſhment, though without any ſhare of power, it would quickly be preferred by every body, and the eſtabliſhed worſhip would be totally deſerted. One would think that at bottom there lurked ſome apprehenſion, that the eſtabliſhed model is of all religious profeſſions the moſt unpopular in the

the country; or would ſoon become ſo, if any competitor were admitted; that conſequently they imputed the preference given it by the people, ſolely to their ignorance, and were inclined to ſuſpect, that, on a fair examination, it would prove the moſt irrational and the moſt unſcriptural. They act as though they thought, that without its legal prerogatives, particularly without the ſignal advantage of penal ſtatutes, ſuppreſſing, or at leaſt checking other ſects, it would not have ſo much as an exiſtence. Now what is moſt extraordinary is, that the people who ſeem to be actuated by ſuch unaccountable ſuſpicions, are not thoſe who think moſt unfavourably of the eſtabliſhment; on the contrary, they are commonly the greateſt ſticklers for its abſolute perfection in every article. I do not accuſe one national church, or one ſect in particular, of this abſurdity. It is pretty common to all: in this reſpect Popery, Prelacy, Preſbytery, are the ſame.

Now of all religious parties, the Papiſts, to do them juſtice, are the moſt excuſeable in entertaining theſe ſuſpicions. The reaſon is evident: No party can worſe bear being brought to an open trial. Error, like Vice, ſhuns the light. Virtue and Truth, ought, on the contrary, to ſeek it. To the latter it is as beneficial, as it is fatal to the former. It was in the night, while men ſlept, in the decline of all uſeful knowledge, and the rapid advance of ignorance and barbarity, that the tares of Popery were ſown by the enemy among the wheat of the goſpel, that good ſeed which had been ſown by the Son of Man. What was nouriſhed by ignorance, and could have been nouriſhed by it only, muſt be hurt by knowledge. No wonder then that Popery ſhould dread inquiry, ſhould admit no competition, ſhould not give ſo much as a hearing to an adverſary whereever ſhe can avoid it. Reaſon is againſt her, ſcripture is againſt her, nay antiquity (which with thoſe unverſed in hiſtory, never with the knowing, ſhe is fond to plead) is againſt her. What has ſhe then to truſt to, but the tyrant's iron rod? But for Proteſtants to ſhow the like illiberal ſuſpiciouſneſs, is to betray their own cauſe, and ſin againſt the majeſty of Truth. Truth requires but the light; becauſe, in regard to her, to be known is to be loved; Error ſcreens herſelf in darkneſs, being conſcious, that, in regard to her, to be ſeen is to be hated. It is the common ſign of a bad cauſe to be ſuſpicious of itſelf, and to avoid a fair inquiry. This is one of the many evil ſymptoms which ſtrongly mark the cauſe of Rome.

But, in order to a fair inquiry, ſome things are previouſly neceſſary. Such are the means of knowledge, and the means of ſupport to thoſe employed in conveying knowledge. In theſe days we have no ground to look for miraculous aſſiſtance. The church, now arrived at maturity, is largely ſupplied with all neceſſary evidence within herſelf, and no longer needs thoſe props and ſupports ſhe was obliged to lean upon in her infant years. But the effects produced by thoſe miracles ſtill remain with us as evidences of the reality of the account; and the fulfilment of prophecies in regard to the progreſs, the moſt memorable events, the eſtabliſhment and the defection of the church, which in the early days they could not have, amply ſupply to us the want of preſent miracles. If we uſe properly the ſpiritual weapons ſuited to this ſpiritual warfare, we ſhall have no reaſon to deſpair of ſucceſs. That human means ought to be employed, none but the mereſt enthuſiaſts will deny: only let them be ſuch human means as ſuit the cauſe of truth and charity.

If Popery, as has been contended, has been, in ſome places, on the increaſe, it will be found, on inquiry, that it has been only where the people unhappily are far removed from the means of knowledge. The evil itſelf, which is ignorance, points out the cure. Introduce the light, and the darkneſs is diſpelled. In large and extenſive pariſhes in the highlands, they often recur to Popiſh teachers, becauſe they have no other. Where there is groſs ignorance, there are alſo no doubt barbarity and ſuperſtition. And where-ever theſe are, the abſurdities of Popery are better ſuited to the taſte of the people, than the doctrines of a more rational religion. Now that in pariſhes in the highlands and weſtern iſles, ſome of ſixteen, ſome of twenty-five, ſome of thirty miles in length, and from five to ſeven in breadth, ſome containing near three thouſand inhabitants, where they have but one Proteſtant paſtor, how can they eſcape being perverted to Popery? This muſt appear a neceſſary conſequence, when we conſider the uncom-

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mon zeal which Papiſts have always ſhown for making proſelytes.

Now for redreſſing this grievance, what is to be done? I know only two methods, compulſion and perſuaſion. If we recur to the firſt, (and after it, though by no means a Chriſtian method, the general hankering ſeems to be), what will our penal laws ſignify in thoſe iſlands and tracts of land where the Papiſts in number compared with the Proteſtants, are already by the accounts that have been given *, as thirty to one in ſome places, in others as twenty, in others as ten? Or what end would it anſwer, though we ſhould get laws ten times more ſevere than thoſe in force at preſent? Can we imagine, that any perſon, however well inclined to the work, would be ſo mad as to attempt, in thoſe diſtricts, to execute the laws? Sanguinary ſtatutes in ſuch caſes, do but ſhow the impotence of the legiſlative power, and embolden people the more openly to ſet it at defiance. They will have this additional motive in a cauſe like this, that the more daring their tranſgreſſion of our laws is, the greater will be their merit with their party, becauſe done for the intereſt of the church. Can any perſon who reflects, be ſo infatuated as to think that in this way any ſervice will be done to Proteſtantiſm? That ſuch fruitleſs attempts will do it great diſſervice, one muſt be totally blinded by his prejudices not to perceive. The minds of the people will more than ever be alienated from us, their numbers will ſtrengthen their reſolution, and their ſucceſs will inſure their perſeverance. To me it is manifeſt, that, in ſuch pariſhes at leaſt, the repeal propoſed will be favourable to the other, and the only Chriſtian, method, of perſuaſion, becauſe it will be of great uſe to us for gaining their confidence, and bringing them without ſuſpicion to join with us in other ordinary affairs. If we will not admit perſons who offer themſelves as friends and fellow-citizens, and accept ſuch ſervice from them for the defence of the ſtate, as they think they can in a conſiſtency with their duty give us, we in a manner force them to combine with one another, for their own defence, againſt us. We gain to ourſelves, beſides, all the odium of being perſecutors, without gaining any thing to the cauſe. They will have all the advantage of the plea of being perſecuted for conſcience ſake, without ſuſtaining any loſs by perſecution. We arm their minds with prejudices againſt us, and deprive ourſelves of the power of ever gaining on them by ſofter methods. In brief, if nothing will pleaſe but the anti-chriſtian plan of converting by the ſword, and if we are now ſo unaccuſtomed to evangelical weapons that we ſhould be utterly at a loſs how to uſe them, we have no chance at all, on that plan, if we ſet about the work in a faint-hearted manner, and adopt the meaſures of Antichriſt by halves. We ſhall but expoſe ourſelves, and be found in the end to have done more ill than good.

'Well, if we are not to go faintly to work,' it may be aſked, 'what is the ſtout-hearted method you would propoſe?' I anſwer, What would the Papiſts, our admired maſters in this motley ſpiritual temporal warfare, have done in the like caſe? for though in words we loudly condemn their conduct, we are ever recurring to their example for a pattern, and to ſerve as a juſtification of ourſelves. I ſhould rather aſk, What did they when hereties were ſo numerous that penal laws could have no effect? Their aim was then to ſubdue them by the ſword. They inſtituted a cruſade, and made war upon them as the enemies of Chriſt. This was their method with the Albigenſes. Soldiers were inliſted in Chriſt's name; for thoſe pretended ſervants would fight for him, in ſpite of himſelf. An army was accordingly ſent to convince the hereties of their errors, after the military faſhion, and convert them at the point of the ſword. Thoſe who were ſo obſtinately unreaſonable as not to be convinced by ſuch weighty arguments, were butchered without mercy. Chriſt's kingdom had, in their hands, totally changed its character. By his account, it was not proper for his ſervants to fight, unleſs his kingdom were, what it was not, a worldly kingdom: by their account, nothing was ſo proper. But the myſtery is unravelled when we reflect, that the kingdom they fought for, was in fact a worldly kingdom, miſnamed Chriſt's.

There is no exaggeration or hyperbole in what I ſay: I inſiſt on it ſeriouſly, that if the Popiſh and not the Chriſtian mode of converſion is to be adopted, there is not a ſtep on this ſide the utter extirpation

* See the account publiſhed by the ſociety for propagating Chriſtian knowledge in 1774. [36. 207.]

extirpation of thoſe that will not yield, at which we can ſtop, without doing the cauſe of Proteſtantiſm more injury than ſervice. Now it is only in thoſe highland pariſhes that I find any complaints of the increaſe of Popery. The ſmalleſt degree of attention to the above-mentioned accounts publiſhed by the ſociety, makes it evident, that it has been occaſioned neither by the want of penal laws, nor by a failure in the execution, for in both reſpects they were on the ſame footing with other parts of the country, but by the want of inſtruction. The places that we deſerted they occupied. Can we wonder at this? Would we have the people be Atheiſts? If we will give them no religion, can we blame them for accepting one from thoſe that are willing to give it? In the lowlands, which are far more populous, where the pariſhes are much leſs extenſive, and generally well ſupplied both in miniſters and in ſchoolmaſters, we find no reaſon for ſuch complaints. In regard to people of rank, we have been rather gaining ground than loſing it. The only places where there is immediate occaſion for a check, are the highlands and weſtern iſles; and in theſe it is plain, that any coercive methods which have yet been thought of, would prove totally ineffectual. It would be impoſſible in that way to anſwer any valuable purpoſe, unleſs we were to proceed to ſuch extremities, as I hope (notwithſtanding the ugly appearances of late [108.] in ſome of our principal cities) we have not retained ſo much of the ſpirit of Popery as to be able to think of.

If it is in vain then to recur to the weapons of Babylon, let us be induced to betake ourſelves to the armoury of Chriſt. Had we but half the zeal that we may be Chriſtians ourſelves, which we have that others may not be Papiſts, there would be no occaſion for arguments on this head. Nothing can be more manifeſt, than that the great cauſe of the evil complained of, is the want of Proteſtant teachers, both paſtors and ſchoolmaſters: and the principal cauſes of this deficiency are, the immoderate extent of pariſhes, and the want of livings. If a proper method could be deviſed for ſupplying this defect, if new erections were made from time to time where moſt needed, and the new-erected pariſhes ſuitably ſupplied, there would be great ground to hope, that, in proceſs of time, a conſiderable change in reſpect of Chriſtian knowledge might be effected. We ſhall be convinced of this truth, if we but reflect, that, in the highlands, Popery and ignorance are always found to go together. And even where the meaſures propoſed may have little effect at firſt, in ſurmounting prejudices, and producing converſions, it will not be without its uſe, in preventing further ſeductions.

But the great difficulty lies here, How are the teachers to be ſupported? Where are our funds? Great zeal has appeared of late for the Proteſtant intereſt. In order to oppoſe any parliamentary relief to Papiſts, money, I am told, has been contributed, and ſubſcriptions given, to a conſiderable amount. Some noted boroughs and corporations have even gone ſo far as to have engaged lawyers for oppoſing it in parliament [107.]. I ſhould be happy to have it in my power to convince theſe people, of what is a moſt certain, and, in my judgement, a moſt evident truth, that the money thus contributed will be of real ſervice to the cauſe which they wiſh to promote, if given for raiſing a fund for ſupplying the highlands properly with teachers, of which there is ſtill ſuch manifeſt need. I appeal to thoſe zealous perſons themſelves, if they can but reflect coolly on any thing, whether this be not, beyond all compariſon, a more feaſible way (and let me add, a more creditable way) of ſerving the cauſe of Proteſtantiſm, than to throw money away on lawyers, in order to prevent the repeal of a law, which, by their own confeſſion, has not been of the ſmalleſt utility for checking the evil complained of.

But it may be ſaid, that though ſuch an application of the money were agreed to by the contributors and ſubſcribers, it would go but a ſhort way, perhaps not farther than the endowment of a ſingle pariſh, if even ſo far. This, however, would be ſomething. But what I have yet mentioned is not the whole. There are many in the country, not only private perſons but communities, who highly diſapprove the propoſed oppoſition to the repeal, who think it would be not only diſhonourable, and unbefitting the cauſe of Chriſtianity, but even prejudicial, tho' attended with ſucceſs, who nevertheleſs would gladly embrace an opportunity of contributing to advance the cauſe by Chriſtian methods, and of demonſtrating

to

to the world, that they are not (as they have been misrepresented by persons whose zeal far outstrips their judgement) people who *care for none of these things*. Let but an attempt of this kind be set on foot, and more perhaps will be given than is at present imagined.

It will be said, "Was there not a collection made by order of Assembly, a few years ago, for the purpose now mentioned [26.276.], which amounted to a very small matter? We have not great encouragement then to expect much in this way." To this I reply, 1st, The generality of mankind are apt to be remiss and inattentive to things of this nature, till some remarkable event happen to rouse them. The alarms lately raised have supplied us with such an event. 2dly, The example of the liberality of those communities and individuals who had intended the same good end, (though by means we think neither judicious nor justifiable), might, it would be hoped, excite emulation in others, who would chuse to show that they are not inferior in their ardour for the Protestant cause, when its advancement is not pursued by Romish expedients. 3dly, It may not be improper, if it shall seem meet to the wisdom of our ecclesiastical superiors in the ensuing assembly, to recommend to synods or presbyteries to chuse fit persons, both ministers and elders, for receiving subscriptions from persons of rank and others within their respective jurisdictions, beside appointing a collection to be made in the parish-churches from the common people, and to recommend also to the royal boroughs, which are all represented in the assembly, to obtain the aid of their respective corporations for a service that in every view should be admitted by Protestants to be pious, charitable, and Christian, in respect both of the end and of the means. Were a plan of this kind to be adopted, I should not doubt of our getting liberal assistance from many wealthy persons in England, from Scotsmen abroad, and even others well affected both to the Protestant religion, and to the cause of liberty. The money collected ought doubtless to be intrusted to the management of the society in Scotland for propagating Christian knowledge, whose known integrity and zeal, as well as their acquaintance with the state of the highlands and western isles, render them of all persons the fittest for such a trust."——

"Indeed I can conceive but one objection against the method I propose, (so the Doctor concludes), which is, I own, as times are, a great one, namely, that it is a Christian method: for, to say the truth, Christian methods of conversion are become so obsolete in Christendom, that it looks rather romantic to propose them. This makes me fear much lest that objection alone prove sufficient to defeat the project. We are very zealous without doubt, and so are the Papists. And what does their zeal mostly, and ours too, amount to? Just to this, that we can be persuaded to do any thing for God's sake, except to love God and our neighbour. Of all tasks this is the hardest. For the sake of God men will divest themselves of humanity, and to advance their church, will sacrifice every remain of virtue, will even turn assassins and incendiaries. But how few in comparison can be persuaded, for God's sake, to make a sacrifice of their pride, of their revenge, of their malice, and other unruly passions? Who can be induced to be humble, to be meek, to be humane, to be charitable, to be forgiving, and to adopt their master's rule, of doing to others as they would that others should do to them?

Permit me then, my dear Countrymen, Fellow-Christians, and Fellow-Protestants, to beseech you, by the meekness and gentleness of Christ, that ye would maturely weigh this most momentous business, and not suffer your minds by any means to be corrupted from the simplicity that is in Christ. Remember, O remember, that if ye would serve God indeed, ye must serve him in his own way. We show an absolute distrust in him, and a want of faith in the principles for which we pretend to be zealous, when we cannot restrain ourselves to those means only for the advancement of his cause, which are warranted by his word. *God grant you understanding in all things.*"

Protestant interest vindicated. In a series of letters to Edmund Burke, Esq; and other eminent persons. By Valerius Corvinus. 8 *d.* Creech.

THis pamphlet consists of Mr Burke's letter to Mr Bowie [136.], an answer to Mr Burke's letter, two letters to a Bishop in England, and a letter to a friend, by Val. Corvinus, and extracts from the Bishop's answer.

Extract

Extracts from the anſwer to Mr Burke.

—— In ſome paſſages, the publication avowed by the ſociety [45.] riſes to an energy, nay, even to a violence of diction, which, in leſs threatening emergencies, might have been judged improper. But who that is poſſeſſed of the feelings of a man, could recapitulate, in cold blood, the facts and principles there delineated? or who that obſerved the political conſtitution by which his perſon, his connections, his country, were protected from the ſame complicated and inſupportable miſeries, could forbear to delineate them?

In the anonymous pamphlet, a harſher and more exceptionable procedure is ſuggeſted. —— Though, whilſt the penal laws againſt Roman-Catholics continue in force, nothing ſhould tempt one to adopt the firſt meaſures inculcated by the anonymous pamphlet [101.], nor to rouſe the ſecular power for their deſtruction; yet the procedure which is afterwards recommended, appears to me the mildeſt method which a Proteſtant can purſue. Still however, unleſs the legiſlature ſhould ſo far forget itſelf as to paſs a bill, which it cannot ratify, without forfeiting thoſe very rights by which it is conſtituted, a procedure of this kind may be premature. While Roman-Catholics remain contented in their preſent ſituation, let us not attempt to ſelect the objects of our commercial or civil intercourſe: but if they aſpire to rights, and arrogate privileges, which, in their final iſſue, are incompatible with the ſubſiſtence of our civil and religious conſtitution, we are then authoriſed by God and Nature to deny them thoſe encouragements, and refuſe them thoſe kind offices, which, as brethren and fellow-creatures, they might otherwiſe claim. No legiſlature is either impowered or concerned to direct the commerce of individuals, much leſs to regulate the civilities of common life, or determine their objects and degrees. If commerce, indeed, ſhould become licentious; if her imports or exports ſhould prove detrimental; if ſhe ſhould refuſe thoſe proportions of her product which are neceſſary for the ſupport and dignity of the commonwealth; if ſhe ſhould endeavour to elude thoſe laws by which the tribute ſhe owes to the ſtate, or the manner of collecting it, are determined; then, and only then, Sir, is the legiſlature intitled to interpoſe, not to decree, that A ſhall purchaſe commodities only from B; that, in preparing them for circulation, he ſhall only employ the hands of C and D; and that, when ready for public uſe, he ſhall only ſell them to E and F. ——

Carry the ſame analogy, Sir, to domeſtic life. Suppoſe a ſtranger ſhould intrude upon your private converſation with your friends, or preſent himſelf at your table, and rudely vindicate his place among your gueſts; would ſuch a one, in your own judgement, be intitled to thoſe exertions of hoſpitality and politeneſs which are beſtowed upon thoſe to whom invitation inſures their welcome? Ought he to be ſurpriſed at his cold reception, or at any indecorum which, during the entertainment, might hurt his ſenſibility? Apply this to the caſe in hand. The Roman-Catholics are ſenſible of being precluded from the protection of law, and from every regular eſtabliſhment in Scotland. They know the cauſes by which theſe ſolemn and repeated prohibitions were produced. Though, therefore, it could be imagined, that an ignorant or careleſs legiſlature might repeal theſe prohibitory acts, can they anticipate a cordial welcome and warm reception from the inextinguiſhable ſpirit, the invincible prepoſſeſſions, of a jealous and inſulted people? For my own part, if the bill in queſtion ſhould paſs, *I declare, without heſitation, that the whole influence of my example and advice ſhall be exerted, to intercept all civil or commercial reciprocations between Proteſtants and Roman-Catholics, as a conduct infinitely more eligible than perſonal inſults or ſanguinary encounters;* and I heartily wiſh theſe meaſures might become as popular as they are humane. But there is much reaſon to fear, that they are too mild and deliberate to have ſtrong and general influence in ordinary life. The people are abrupt, impetuous, and violent, in all their paſſions and exertions; but in none more than thoſe which are thought ſalutary to their civil or religious liberty. On this account, it is much to be apprehended, that ſuch a tenor of action as has been formerly deſcribed, though at once the mildeſt and moſt efficacious antidote in their power againſt the infection of religious and political infatuation, will never be generally adopted. I admit, that ſuch a ceſſation of civil and ſocial intercourſe adopted in any ſociety whoſe religious and political

principles, though different, were compatible with its subsistence and prosperity, would be absurd and cruel: but, from thence, it will by no means follow, that such regulations in the procedure of individuals ultimately tend to the *dissolution of all society*. It will be allowed, that no community has ever existed, or perhaps will ever exist, which is strictly unanimous in the doctrines of its religion, or the principles of its government; but, whilst the diversities which prevail are merely innoxious, if not salutary; the circulation of kind offices, of civil privileges, and commercial advantages, ought to proceed without restraint. It is, therefore, only in desperate cases that measures so adverse to the feelings of our nature can be justified. Their intention, then, is not to destroy society, but to disengage it from redundant or contagious members, who, in every plan of action, would retard its progress, either by diminishing its force, or by counteracting its efforts.

London.

Considerations on the Dissenters bill; or, The propriety of Protestant Dissenting ministers acceding to a declaration of their belief in the holy scriptures, annexed to a bill now depending in parliament for the farther enlargement of religious liberty. 6 d. *Robson.*——This candid and judicious advocate for the bill sets out with stating, in general terms, the Dissenter's plea for the right of private judgement and the free exercise of his religion; and then proceeds to inquire, whether, on the different grounds of conscience and of expedience, a Dissenting minister may accede to the proposed declaration? This question, in both respects, but especially in the latter, he determines in the affirmative. With respect, however, to an acknowledgement of the magistrate's right to demand of any man a declaration of his faith, there are among the Dissenters many worthy ministers who entertain sentiments different from those of our author. M.

Free thoughts on the inconsistency of conforming to any religious test as a condition of toleration, with the true principle of Protestant dissent. By John Palmer, minister to a society of Protestant Dissenters in New Broad-street. 1 s. *Johnson.* —— The point to which this writer's remarks chiefly bear reference, is the interference of the magistrate in requiring of Protestant Dissenting ministers, tutors, and schoolmasters, a declaration of faith in the scriptures, as the condition of their enjoying a legal toleration to exercise their respective functions; and his leading consideration is, Whether such a requisition can be complied with in consistence with the true principle of Protestant dissent? This is indeed the main object of the present debate; and our sensible author, who appears to be a staunch Dissenter on principle, decides totally against the bill. These Free Thoughts seem to have been chiefly intended as an answer to the preceding Considerations. M.

The nature and extent of intellectual liberty. By the Rev. David Williams. 1 s. *Dodsley.*—— This author insists, that any test of religious opinions must be injurious to truth and liberty. It has been usually alledged, that though mens thoughts must be free, yet the declaration or avowal of them must, in some cases, be restrained. In answer to this objection, the author endeavours to prove, that every man should be at liberty to declare all his principles and opinions. "I do not see (says he) why thieves should not be allowed to preach the principles of theft, murderers of murder, seducers of seduction, adulterers of adultery, and traitors of treason. If any man can be so weak, as to think, that advantages would arise to iniquity from it, he cannot be benefited by any reasoning which can be offered him." Here we must confess, we do not see any weakness in thinking, that wickedness would be encouraged and propagated by the dissemination of such atrocious opinions: for the herd of mankind are not so much influenced by truth and reason, as by specious arguments and persuasions, co-operating with their own irregular passions; and corrupt principles are undoubtedly the source of wicked actions. Every wise legislator therefore would endeavour, as much as possible, to prevent the former, as well as the latter. C.

Edinburgh.

Military memoirs of G. Britain; or, A history of the war 1755—1763. With heads of the most celebrated statesmen, generals, and admirals. By David Ramsay. N° 1 published April 10. To be completed in twelve numbers, one published every fortnight. 6 d. each. *Chrystie & Wilson.*

The spirit of moderation in religion recommended: A sermon [from Phil. iv. 5.] preached May 20. 1779, at the opening of the general assembly. By Patrick Grant, D. D. 6 d. *Balfour.*

Evangelical discourses on several practical subjects. By Harry Robertson, A. M. Minister of Kiltearn. 3 s. the coarse, and 4 s. the fine paper in boards. *Gray.*

The excuses urged by the absenters from public worship examined: A dialogue between Mr Alamode, a young gentleman of fortune, and Mr Freeman, an aged country gentleman. 2 d. *Chalmers & Co. Aberdeen.*

THE MECHANISM OF MAN. An ode.

I am fearfully and wonderfully made.

FOnd Atheiſt! could a giddy dance
Of atoms blindly hurl'd,
Produce ſo regular, ſo fair,
So harmoniz'd a world!

Why do not Libya's driving ſands,
The ſport of every ſtorm,
A palace, here, the child of chance,
Or, there, a temple form?

Preſumptuous wretch! thyſelf ſurvey;
That leſſer fabric ſcan;
Tell me from whence th' immortal duſt,
The god, the reptile man?

Where wert thou when the embryo earth
From Chaos burſt its way,
When ſtars, exulting, ſung the morn,
And hail'd the new-born day?

What fingers brace the tender nerves,
The twiſting fibres ſpin?
Who clothes in fleſh the hardening bone,
And weaves the ſilken ſkin?

How came the brain and beating heart,
Life's more immediate throne,
(Where fatal every touch) to dwell
Immail'd in ſolid bone?

Where learn'd the liver to digeſt
The ſilver floods of chyle?
Who in the jaundic'd gall confin'd
The ſaffron-ſurfac'd bile?

Or taught the wandering tides of blood
To leave the vital urn,
Viſit each limb in purple ſtreams,
And faithfully return?

How know the nerves to hear the will,
The heavy limbs to wield,
The tongue ten thouſand taſtes diſcern,
Ten thouſand accents yield?

How know the lungs to heave and pant,
Or how the fringed lid
To guard the fearful eye, or bruſh
The fully'd ball, unbid?

The delicate, the winding ear,
To image every ſound,
The eye to catch the pleaſing view,
And tell the ſenſes round?

Who bids the babe, new launch'd in life,
The milky draught arreſt,
And with its eager fingers preſs
The nectar-ſtreaming breaſt?

Who with a love too big for words,
The mother's boſom warms,
Along the rugged paths of life,
To bear it in her arms?

A God! A God! Creation ſhouts,
A God! each inſect cries;
He moulded in his palm the earth,
And hung it in the ſkies.

" Let us make man (O voice divine!)
" And ſtamp a god on clay,
" To govern Nature's humbler births,
" To bear an earthly ſway."

He ſaid; with ſtrength and beauty clad,
Young health in every vein,
With thought enthron'd upon his brow,
Walk'd forth majeſtic man.

Around he turns his wondering eyes,
All Nature's works ſurveys,
Admires the earth, the ſkies, himſelf,
And tries his tongue in praiſe.

" Ye hills and vales, ye meads and woods!
" Bright ſun and glittering ſtream!
" Fair creatures, tell me, if ye ſaw,
" From whence and what I am?

" Gay are the ſunny plains; how fair
" Each tenant of the ſhade!
" And ſomething whiſpers me within,
" All theſe for me are made!

" What Parent Power, all great, all good,
" Do theſe around me own;
" Tell me, fair creatures, tell me how
" T'adore the vaſt Unknown:

" By whom ye crop the flowery field,
" Or through the foreſt ſtray;
" By whom I feel untaſted joys,
" And drink the golden day:

" Who gives the pliant tongue to ſpeak,
" The curious eye to ſee;
" Who gives the piercing thoughts to ſoar,
" The conſcious ſoul to be."

The ſolemn appeal of BRITANNIA *to her Sons.*

OLD England's genius ſparkling in his eyes,
See! from his tomb the Godlike CHATHAM riſe!
Conjuring all by ev'ry ſacred tie,
To dare as men, to conquer or to die;
Conjuring all to feel the manly heat
He felt himſelf; may ev'ry boſom beat
With the ſame zeal; may ev'ry Briton glow
With the ſame paſſion to ſubdue the foe!
By thoſe great ſouls, who, high in Heaven's abodes,
Quaff roſy nectar with th' immortal Gods;
By thoſe great ſouls, who, born in happier days,
With ſtep unweary'd climb'd the ſteep of praiſe;
Who with a father's love, and patriot's zeal,
Like guardian-angels watch'd o'er Britain's weal;
By thoſe brave heroes who have fall'n in fight
To ſerve their country, and maintain her right;
Who thought their lives were glorioufly laid down,
When bought by fame, when purchas'd with renown!
By thoſe great chiefs who dar'd the battle wield
At Agincourt, at Creſſy's trophy'd field!
By Marlb'rough's ghoſt, who crowded Blenheim's plain
With hills of dead, heap'd mountains of the ſlain;
Made the proud Danube, crimſon'd with the ſtain
Of bleeding France, run purple to the Main!

By the great ſoul of Wolfe, who fighting dy'd,
Contented fell, when victory was try'd,
The laſt pang heaving in his throbbing frame
For England's glory, and his country's fame!
By all thoſe Worthies of illuſtrious deed
Who wear immortal Honour's laurel'd meed!
Britons, awake! your wonted port aſſume;
Let glowing courage ſhake her martial plume;
Show, that, not dead to manhood's urgent call,
Corruption hath not yet denounc'd your fall;
Say! hath oblivion from your mem'ries caſt
Scenes of old fame, and deeds of glory paſt?
Review we now with joy thoſe deeds no more,
When, nobly laviſh of their gen'rous gore,
Britons have done ſuch feats of blazing fame,
As darken Grecian, cloud the Roman name?
Shall now Rebellion with ferocious hand,
Combin'd with Bourbon, cruſh this once-fam'd land?
Shall England fall, her own worſt deadly foe,
Stabb'd to the heart by a domeſtic blow?
Forbid it, Heav'n! let honeſt vengeance glow,
Let manly ſpirit ev'ry breaſt o'erflow!
Let love of fame revive! let pale-fac'd Fear
Forſake the realm, and Britons once more dare!
The haughty Gaul ſhall curſe th' ill omen'd hour
When firſt he durſt defy a BRUNSWICK's power.

On a lady's preſenting a ſprig of Myrtle to a gentleman. By Mr HAMMOND.

Not printed in his works.

WHat hopes, what terrors, does thy gift create!
Ambiguous emblem of uncertain fate!
The myrtle, enſign of ſupreme command,
(Conſign'd by Venus to Meliſſa's hand)
Not leſs capricious than a reigning fair,
Oft favours, oft rejects, the lover's care.
In myrtle groves oft ſings the happy twain;
In myrtle ſhades deſpairing ghoſts complain:
The myrtle crowns the happy lovers heads;
The unhappy lovers graves the myrtle ſpreads:
Oh! then, the meaning of thy gift impart,
And cure the throbbings of an anxious heart;
Soon muſt this bough, as you ſhall fix his doom,
Adorn Philander's head, or grace his tomb.

Written after the rehearſal, in the Banqueting-houſe, Whitehall, of the anthem compoſed by Mr HANDEL, *for the funeral of Queen* CAROLINE, 1737.

STruck with the beauties form'd by magic dyes *.
From group to group the eye in tranſport flies;
Till ſeraph-accents, ſolemn, deep and ſlow,
Melt on the ear in ſoft melodious woe.
Such charms the two contending arts diſpenſe,
So ſweetly captivate each raviſh'd ſenſe,
We ne'er can fix; but muſt by turns admire
The mimic pencil, and the ſpeaking lyre.

* *The paintings on the ceiling by Sir Peter Paul Rubens.*

For the SCOTS MAGAZINE.

Leſt an apology ſhould be thought neceſſary for the length of the ſubjoined inſcription, give me leave to obſerve, that if the man who ſaved the life of a ſingle citizen, had great merit with the humane and ſenſible Romans; his cannot be ſmall, who, in any country, introduceth a manufacture, by which many thouſands may live comfortably. While the ſteps of the deſtroyers of mankind are marked with blood; in the humble walk of the good citizen, roſes ſpring up. Health and Induſtry go hand in hand, and from the horn of Plenty, the bleſſings of life are liberally poured forth. F. D.

To the Memory of
Mr HUMPHREY FULTON,
Of Paiſley,
Who introduced the Silk Manufacture
Into Scotland.

In company with his Two Sons,
He often employed from four to ſix hundred looms,
And, in the various branches of the manufacture,
Gave daily bread to a thouſand, frequently to
Fifteen hundred people.

Many, with him,
Have merited of their Family;
Few have better deſerved
Of their Country.

Diſtinguiſhed
For a peaceable, chearful temper,
And an eaſy, obliging manner,
He paſſed through life
Without an enemy.

Endued with ſtrong natural parts,
He unwearicdly applied them
To uſeful purpoſes.
In the care of his family,
And attention to buſineſs,
He was exemplary.

He knew the importance of moral conduct,
As well in reſpect to this life,
As the future;
And the habit of active virtue
Strengthened his good principles.

From his own feelings of its propriety,
(Without ſhow or affectation),
He exemplified that diſpoſition
Which beſt marks
The real friends of JESUS CHRIST.

After a lingering indiſpoſition,
Which he bore with much fortitude.
He left this world, with great compoſure,
In the firm hopes of a better,
27th May 1779,
In the 65th year of his age.

His memory will be revered,
While Induſtry, Good Morals,
And the Social Affections,
Are eſteemed.

AME.

AMERICA. [192.]

Extract of a letter from the Hon. Vice-Adm. Byron to the Admiralty, dated, Princeſs Royal, off St Lucia, April 2. 1779.

"The ſquadron under Com. Rowley [50.] having arrived from England on the 12th of February, in good condition, I ſent him, with the Suffolk, Magnificient, Stirling-caſtle, Medway, Centurion, Iſis, Preſton, and Carysfort, to cruiſe to windward of Martinique, in hopes of preventing a junction between the ſhips expected from France and thoſe at Fort-Royal. He ſailed upon that ſervice the 19th of February; but was recalled a few days after upon my receiving certain advice of M. de Graſſe, with four or five ſail of the line, ſome frigates and ſtoreſhips, having got ſafe to Martinique. Since then detachments from the fleet have occaſionally cruiſed to windward, and others between the iſlands of St Lucia and Martinique, for intercepting ſuch of the enemy's veſſels as might attempt that channel, and at ſame time to give protection to our ſmall craft, when reconnoitring the ſtrength and poſition of the French ſquadron in Fort-Royal bay. One of theſe detachments, under command of Capt. Griffith, was carried greatly to leeward by the current the 15th of laſt month. Their ſituation muſt have been obſerved from Martinique; and, I think, the proſpect of theſe ſhips not being able to regain this anchorage, probably occaſioned the enemy to make a movement: for M. d'Eſtaign, with four other flag-officers, and fifteen ſail of the line, with ſome frigates and ſmall veſſels, having previouſly embarked a number of troops, came out of Fort-Royal bay the morning of the 18th; at which time ſeveral of the ſhips under my command, that had been cruiſing, were taking in a ſupply of water at the Cul de Sac, and Capt. Sawyer, with three ſail of the line and a fifty-gun ſhip, was to windward of Martinique. With the reſt of our force I ſlipt, and put to ſea, the moment the French ſquadron was diſcovered, and made for them with all poſſible expedition. But, although equal in number and ſtrength to the ſhips I had collected, they returned to the protection of their batteries, without putting it in my power to bring them to action. I ſtood cloſe in with Fort-Royal next morning, and had a full view of the enemy's batteries and ſhips; but their only movement upon our approach was to get under ſail, and work farther into the bay; I therefore tacked, and ſtretched towards this place, but a ſtrong lee current kept the ſquadron ſeveral days at ſea."

By a letter from the Captains Robert Stewart, of the Fincaſtle; Barnard M'David, of the Jackal; Lachlan M'Intoſh, of the James; William Riven, of the Bee; and James Parke, of the Royal George, to William Matthew Burt, Eſq; Governor of the Britiſh Leeward Caribbee iſlands, there is an account, that the five ſhips above mentioned, on the morning of Feb. 10. ran within gunſhot of the fort on the iſland of St Bartholomew; and that, there being no force on the iſland, M. Bernie, the Governor, delivered it up next day, by capitulation, the aſſailants agreeing not to plunder, and the iſlanders agreeing to be under the Engliſh government. The iſlanders, of whom, according to the Governor's account, there were only 101 white men able to bear arms, were under great diſtreſs, the iſland ſcarcely affording ſupport for the inhabitants.

By letters to the Admiralty it appears that a great number of captures have been made:

By the American ſquadrons, according to accounts received by Rear-Adm. Gambier, between May 23. 1778, and Dec. 20. dated, Admiralty-office, Feb. 6. 107 captures and 20 recaptures; and by accounts dated, Admiralty-office, April 24. 47 captures and 2 recaptures; and by private armed ſhips, of the ſame date, between May 27. 1778 and Feb. 18. 1779, 79 captures and 3 recaptures.

By ſhips and veſſels under the command of Capt. Hyde Parker, of the Phœnix, between Nov. 27. and Jan. 14. 1779, 13 captures, moſt of them in Savannah river.

By ſhips under the command of Vice-Adm. Sir Peter Parker, on the Jamaica ſtation, from May 18. 1778 to Feb. 24. 1779, 50 captures.

We ſee a liſt of privateers fitted out from New York ſince the firſt iſſuing of letters of marque, to the 10th of March 1779, in number 121, viz. two of 36 guns, one of 30, one of 28, four of 26, three of 24, five of 22, eighteen of 20, ſeventeen of 18, nineteen of 16, eighteen of 14, eleven of 12, ſixteen of 10, five of 8, and one of 6, in all 1976 guns, and carrying (computing 80 men for each veſſel at an average) upwards of 9600 ſeamen; and they had taken 165 prizes.

prizes. Many of the officers in the army and navy, and of the principal inhabitants of New York, were part-owners.

The first Thursday of May was appointed by the congress to be observed as a day of fasting and prayer throughout the thirteen provinces of America.

A list of the American Congress.

JOHN JAY, President.

New Hampshire. Josiah Bartlet, John Wentworth, William Whipple, George Frost.

Massachuset's bay. John Hancock (1), Samuel Adams (1), Elbridge Gerry, Francis Dana, James Lovell, Samuel Holton, Timothy Edwards.

Rhode island. Stephen Hopkins (2), William Ellery, John Collins.

Connecticut. Roger Sherman, Titus Hosmer, Eliphalet Dyer, Samuel Huntingdon, Oliver Elsworth, Andrew Adams, Jesse Root.

New York. John Jay, James Duane, Governor Morris, Philip Schuyler (3), William Floyd, Francis Lewis.

New Jersey. John Witherspoon (4), Nathaniel Scudder, Frederick Frelinghuysen, John Fell, John Neilson.

Pennsylvania. Daniel Roberdeau, William Clingham, John Armstrong, Wm Shippen, Samuel J. Atlee, James Searle.

Delaware. Cæsar Rodney, Nicholas Vandyke, Thomas M'Kean.

Maryland. George Plater, William Paca, William Carmichael (5), John Henry, James Forbes, Daniel of St Thomas Jenifer.

Virginia. Thomas Adams (6), John Harvie, John Bannister, Francis Lightfoot Lee (7), Merriweather Smith, Richard Henry Lee (7), Cyrus Griffin.

North Carolina. John Penn, Cornelius Harnet, John Williams, Whitmit Hill, Thomas Burke,

South Carolina. Henry Lawrens (8), Wm Henry Drayton, John Matthews, Thomas Heyward, Richard Coltson.

Georgia. Lyman Hall, George Walton, Joseph Clay, John Walton, Edward Telfair, Joseph Wood, Leonard Langworthy.

(1) Proscribed by Gen. Gage. [37. 374]
(2) Son of Commodore Hopkins.
(3) General in the service
(4) Formerly one of the ministers of Paisley.
(5) Secretary to the American Commissioners at Paris.
(6) Brother of Samuel Adams.
(7) Brothers of Alderman Lee.
(8) The late President.

From the New-York Gazette.

TWO GENUINE LETTERS.

Mr Livingston, Governor of New Jersey, to Gen. Clinton.

SIR, *Elizabeth-town, March* 29. 1779.

AFTER having apologized for my delaying your and Mr Franklin's dinner, by being accidentally abroad when you did me the honour, a few days ago, to send Col. Stirling to wait upon me to New York, I beg leave to acquaint you, that I am possessed of the most authentic proofs of a general officer under your command having offered a large sum of money to an inhabitant of this state to assassinate me, in case he could not take me alive. This, Sir, is so repugnant to the character I have hitherto formed of Sir Henry Clinton, that I think it highly improbable you should either countenance, connive at, or be privy to a design so sanguinary and disgraceful. Taking it however for granted that you are a gentleman of too much spirit to disown any thing that you think proper to abet, I give you this opportunity for disavowing such dark proceedings, if undertaken without your approbation; assuring you, at the same time, that if countenanced by you, your person is more in my power than I have reason to think you imagine.

I have the honour to be, with all due respect, your Excellency's most humble servant,

WIL. LIVINGSTON.

General Sir Henry Clinton.

His Excellency's Answer.

SIR, *New-York, April* 10. 1779.

As you address me on a grave subject, no less than life and death, and your own person concerned, I condescend to answer you; but must not be troubled with any further correspondence with Mr Livingston.

Had I a soul capable of harbouring so infamous an idea as assassination, you, Sir, at least could have nothing to fear; for, be assured, I should not blacken myself with so foul a crime to obtain so trifling an end.

Sensible of the power you boast of being able to dispose of my life, by means of intimates of yours, ready to murder at your command, I can only congratulate you on your amiable connections, and acknowledge myself

Your most humble servant,

H. CLINTON.

Wm Livingston, Esq; New Jersey.

A

A Trial for MUTINY.

On Thurſday, May 6. a court-martial appointed to try three of the ſoldiers who were made priſoners at Leith on the 20th of April [220.], ſat in the caſtle of Edinburgh.—The court was compoſed of the following officers.

Lt-Col. Dundas, of the 11th dragoons, Preſident.
Maj. John Campbell, of the Weſt Fencibles.
Capt. James Campbell, of the Weſt Fencibles.
Capt. John William Romer, of the 31ſt foot.
Capt. Lord Haddo, of the North Fencibles.
Lieut. Peter Boiſſier, of the 11th dragoons.
Lieut Alexander Trotter, of the 66th foot.
Maj. James Mercer, of the North Fencibles.
Capt. John Popple, of the 11th dragoons.
Capt. Angus M'Alliſter, of the Weſt Fencibles.
Lieut. Wm Moriſon, of the Weſt Fencibles.
Lieut. Lord Napier, of the 31ſt foot.
Lieut. James Fergufon, of the Weſt Fencibles.

CHARGE.

Charles Williamſon and Archibald Maciver, ſoldiers in the 42d regiment of foot, and Robert Budge, ſoldier in the 71ſt regiment of foot, You, and each of you, are charged with having been guilty of mutiny at Leith, upon Tueſday the 20th of April laſt paſt, and of having inſtigated and incited others to be guilty of the ſame, in which mutiny ſeveral of his Majeſty's ſubjects were killed, and others wounded.

You are to ſtand trial on the above charge, on Thurſday 6th May 1779.

JAMES DUNBAR, J. A.

DEFENCES.

The charge againſt the priſoners is, That they were guilty of mutiny at Leith on Tueſday the 20th of April, and in inſtigating and inciting others to be guilty of that mutiny, in which ſeveral of his Majeſty's ſubjects were killed, and others wounded; and they have pleaded *Not guilty* to that charge.

The priſoners Archibald Maciver and Charles Williamſon inliſted as ſoldiers in the 42d regiment, being an old Highland regiment, wearing the Highland dreſs. Their native language was Earſe, the one being a native of the northern part of Argyleſhire, and the other of the weſtern part of Inverneſsſhire, where the language of the country is Earſe only. They have uſed no other language, and are ſo ignorant of the Engliſh tongue, that they could not avail themſelves of it for any purpoſe in life. They have always been accuſtomed to the Highland habit, ſo far as never to have worn breeches; a thing ſo inconvenient, and even ſo impoſſible for a native Highlander to do, that when the Highland dreſs was prohibited by act of parliament, tho' the philibeg was one of the forbidden parts of the dreſs, yet it was found neceſſary to connive at the uſe of it, provided only it was made of a ſtuff of one colour, and not of tartan; as is well known to all acquainted with the Highlands, particularly the more mountainous parts of the country. Theſe circumſtances made it neceſſary for them to inliſt and ſerve in a Highland regiment only, as they neither could have underſtood the language, nor have uſed their arms, or marched in the dreſs of any other regiment.

The priſoner Robert Budge is a native of Caithneſs, where his mother-tongue likewiſe was Earſe, and that language was commonly uſed by him: for though he had acquired ſo much of the Engliſh tongue as to enable him to buy from or to ſell to one who ſpoke Engliſh, in the common articles of commerce in the country; yet he could not have made uſe of it in the ordinary run of the occurrences of life. He, too, had been accuſtomed to the philibeg; and found, that in any other dreſs than the Highland one, he could not have performed the duties of a ſoldier; he, therefore, likewiſe inliſted in the 71ſt regiment, which is a Highland corps.

The priſoners, along with a detachment to the number of between 60 and 70, were marched from Stirling on the 19th April laſt. They arrived in the town of Leith, all the three being on carts, ſo that none of them were on the links on the 20th of that month. During the march, they behaved with that obedience which belongs to ſoldiers, nor have they been accuſed of any riotous or mutinous behaviour on the road. When the reſt of the detachment arrived on Leith links, the priſoners underſtand, they were informed by their officer Capt. Innes, who had conducted them, that they were now to conſider the officers of the 83d or Glaſgow regiment (a regiment wearing the Lowland dreſs, and ſpeaking the Engliſh tongue) as their officers; but how this happened, they were not informed. No order from the commander in chief, to their being draughted, was read or explained to them; but they were

were told, they muſt immediately march to the ſhore, and embark.

A great number of the detachment repreſented, without any diſorder or mutinous behaviour, That they were altogether unfit for ſervice in any other corps than a Highland one; particularly, that they were incapable of wearing breeches as part of their dreſs. At the ſame time, they declared their willingneſs to be regularly transferred or draughted into any other Highland regiment, or to continue to ſerve in thoſe regiments into which they had been originally inliſted. But no regard was paid to theſe remonſtrances, which, if they had had an opportunity, they would have laid before the commander in chief; but an order for immediate embarkation muſt prevent this. The articles of war, which are appointed to be read and publiſhed once in every two months, at the head of every regiment, troop, or company muſtered, and to be daily obſerved, and exactly obeyed by all officers and ſoldiers in his Majeſty's ſervice, cannot be unknown to any ſoldier, and muſt be attended to by them. By the ſixth ſection of theſe articles, and article 3. it is declared, "That no non-commiſſioned officer or ſoldier ſhall inliſt himſelf in any other regiment, troop, or company, without a regular diſcharge from the regiment, troop, or company, in which he laſt ſerved, on the penalty of being reputed a deſerter, and ſuffering accordingly; and in caſe any officer ſhall knowingly receive and entertain ſuch non-commiſſioned officer or ſoldier, or ſhall not, after his being deſerter, immediately confine him, and give notice thereof to the corps in which he laſt ſerved, he the ſaid officer, ſo offending, ſhall, by a court-martial, be caſhiered."

The detachment found themſelves in a diſagreeable ſituation. None of them were poſſeſſed of diſcharges, in terms of this article of war, to enable them voluntarily to enter into another corps, other than the one they had inliſted in. No order from the commander in chief had been read or explained to them, which could either ſuperſede the neceſſity or intitle them to the benefit of ſuch diſcharge. Capt. Innes was no field-officer, and could not grant them one; and the officers of the Glaſgow regiment ſeemed, in ſuch circumſtances, diſabled from aſſuming a military command over them. The natural idea that ſuggeſted itſelf to them was, that they ſhould inſiſt on ſerving ſtill in the ſame regiments in which they had been inliſted, and not go abroad as a part of the 83d regiment, till ſuch time as theſe difficulties were removed. They accordingly drew up, under arms, on the ſhore of Leith, each reſpective corps by itſelf; and the priſoners, ſeeing them drawn up, joined them, and were informed of what had happened.

The priſoners are informed, that the orders that were iſſued to the detachment of Southern fencibles that came down to Leith was, To make them priſoners, and conduct them all to the caſtle. Had theſe orders been explained to them, they would have ſubmitted, and, with proper humility, have laid their caſe before thoſe that could give them redreſs. But, unfortunately, the ſerjeant who explained the orders to them in Earſe, repreſented them to them as if they were immediately to go aboard as a part of the Glaſgow regiment; but which, they do, with great deference, ſay, they did not, at the time, conceive they could lawfully have done.

None of the priſoners were guilty of any actual violence. No man received any hurt from them. The priſoner Maciver declared, "That he would not fire," when ſome among the mob called out to them to do it. The priſoner Williamſon had got drunk at Linlithgow, and continued very much intoxicated to the very end; ſo that he was not perfectly conſcious of what he was doing. And the priſoner Budge behaved in a very inoffenſive manner, and ſurrendered himſelf quietly as a priſoner. None of all the three had any ammunition, nor could they have any previous intention to mutiny; the idea of their being to be transferred into another regiment having been intimated to them of a ſudden, ſo as to leave no room for deliberation.

The evidence was taken on Thurſday and Friday, after which the court was cleared: and the members having remained incloſed about an hour, adjourned till ten o'clock on Saturday, and then pronounced their judgement; which was tranſmitted to the King. Though, in military courts, priſoners are not uſually allowed counſel; yet in this caſe, by the candour of the commander in chief, a very eminent lawyer (Mr Andrew Croſbie) was permitted to appear on behalf of theſe priſoners.

[*The ſentence, &c. in our next.*]

H I-

HISTORICAL AFFAIRS.

TURKY. [49.]

"*Conſtantinople, April* 3. On Sunday, March 25. Monſ. Hachief, envoy-extraordinary from her Imperial Majeſty of all the Ruſſias at the Ottoman Porte, and the Grand Vizir, ſigned the new treaty of perpetual peace and amity between their reſpective courts; in which were explained and accommodated, through the mediation of Count St Prieſt, his Moſt Chriſtian Majeſty's ambaſſador at this place, all diſputes and differences, to the entire ſatisfaction of both parties."

GERMANY. [163.]

"*Vienna, May* 19. The definitive treaty of peace was ſigned at the congreſs at Teſchen on the 13th current; and his Pruſſian Majeſty, the moment he received the news of the ſignature, ſent orders to his troops to evacuate all the Auſtrian territory, without waiting for the expiration of the term of ſixteen days fixed by the treaty for that purpoſe." *Lond. Gaz.*

UNITED PROVINCES. [165.]

A placart to the following purpoſe was publiſhed on the 3d of May.—"The States-General of the United Provinces, &c. to all to whom theſe preſents ſhall come, Health.—It having been made known to us, that, notwithſtanding the ancient placarts of July 27. 1627, and April 26. 1653, forbidding the inhabitants of this country to take warlike commiſſions from other powers, ſome ſubjects of this republic are nevertheleſs ſuſpected to have engaged with ſome of the belligerent powers, to diſtreſs the navigation and commerce of other powers at war, with whom we are, and wiſh to continue in amity, by equipping, and arming for ſea, ſhips, under cover of other flags; a conduct which is contrary to the right of nations, to the ſubjects of a neutral power, and to our upright intentions, as it may tend to the prejudice, blame, and diſhonour of the republic: for theſe cauſes, after mature deliberation, we have ordained, and do ordain, That no inhabitants of the United Provinces ſhall ſend any ſhip to ſea, either from our ports, or thoſe of any foreign powers, nor have a part in arming any ſhips that ſhall ſail as privateers by virtue of ſuch commiſſions, or partake either of any loſſes or gains that may accrue from ſuch captures, under pain of being puniſhed according to the exigence of the caſe, as well in their bodies as their goods, agreeable to the tenor of our precedent placarts, and further to be obliged to pay all damages that they have cauſed," &c. &c.

EAST INDIES.

"*London, May* 28. The packet which arrived lately from India brought news exceedingly favourable to the company. The expedition ſent out by Gov. Haſtings from Bengal to Berar, under Col. Leſlie, to oppoſe the French intereſt in the Maratta ſtate, had accompliſhed their purpoſe; though the Colonel was dead, and many men had fallen by ſickneſs and the exceſſive fatigue attending the march. On the 10th of July, Col. Leſlie attacked Aumrood Sing, the Rajah of Boondelchund, and defeated him, with conſiderable ſlaughter, at a village called Mow, not far from Chetterpoor; the loſs on the Engliſh ſide being only five ſeapoys killed, and twenty-ſeven wounded. The army conſiſted of ſix battalions of ſeapoys, and one company of native artillery; which, on their march were joined by a regiment of cavalry and a body of horſe from the province of Owde."

ENGLAND. [219.]

The royal aſſent was given by commiſſion to the following bills:

To theſe, May 18.

An act for the further relief of Proteſtant Diſſenting miniſters and ſchoolmaſters. [247.]

An act to repeal ſo much of ſeveral acts of parliament as prohibit the growth and produce of tobacco in Ireland, and to permit the importation of tobacco of the growth and produce of that kingdom into G. Britain, under the like duties and regulations as tobacco of the growth of the Britiſh colonies in America is permitted to be imported.

An act for granting a bounty upon the importation into this kingdom of hemp of the growth of the kingdom of Ireland for a limited time.

An act for granting a drawback of the duties impoſed by an act of the laſt ſeſſion of parliament upon all foreign wines exported from G. Britain to any Britiſh colony or plantation in America, or to any Britiſh ſettlement in the Eaſt Indies.

An act for altering the times of holding the Martinmas and Candlemas terms in the court of exchequer in Scotland.

An act for better ſecuring the duties on ſtarch.

Sixteen bills concerning roads and other matters of police, none of which relate to Scotland, and thirty-nine private bills.

And to theſe, May 31.

An act for granting to his Majeſty certain duties on licences to be taken out by all perſons letting horſes to hire for travelling, in the manner therein mentioned; and certain duties on all horſes let to hire for the purpoſes of travelling poſt, and by time, and upon certain carriages therein mentioned.

An act to explain ſo much of an act 12° Ch. II. "for the encouraging and increaſing of ſhipping and navigation," *as relates to the importation into this kingdom, and other his Majeſty's dominions, of goods and commodities of the growth or production of Africa, Aſia, or America, which are manufactured in foreign parts; for preventing maſters of ſhips removing their veſſels out of the ſtream, except to the lawful quays in the port of London, before the goods are diſcharged, or their veſſels are cleared by the proper officers, inwards or outwards; and for allowing the officers of the cuſtoms and exciſe to make uſe of lights on board ſhips in the haven, docks, or baſon, at the port of Kingſton upon Hull.*

An act for more effectually preventing frauds by private diſtillers, and for the better ſecuring the duties on low wines and ſpirits.

An act for further continuing, for a limited time, an act 16° Geo. III. "to authoriſe, for a limited time, the puniſhment by hard labour of offenders, who, for certain crimes, are or ſhall become liable to be tranſported to any of his Majeſty's colonies and plantations.

An act for taking off the duty upon all ſalt uſed in the curing of pilchards, and laying a proportionable duty upon all pilchards conſumed at home only.

An act for diſcontinuing the duties on cotton wool, the growth and product of the Britiſh colonies or plantations in America, exported into this kingdom.

An act to indemnify ſuch perſons as have omitted to qualify themſelves for offices and employments; and to indemnify juſtices of the peace, or others, who have omitted to regiſter or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and to indemnify members and officers in cities, corporations, and borough-towns, whoſe admiſſions have been omitted to be ſtamped according to law, or, having been ſtamped, have been loſt or miſlaid, and for allowing them time to provide admiſſions duly ſtamped; and to give further time to ſuch perſons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and ſolicitors.

An act to prevent abuſes in the payment of wages to perſons employed in the bone and thread lace manufactory.

Seven bills concerning roads and other matters of police, none of which relate to Scotland, and ſeven private bills.

On a repreſentation, that great inconveniencies might ariſe from executing the recruiting act in the country at large during the time of hay and corn harveſt, an order of council was iſſued, of date May 7. importing, That the ſaid act ſhould be ſuſpended from and after the 22d of that month, until further notice; —except the cities of London and Weſtminſter, and the county of Middleſex within the bills of mortality, the borough of Southwark, the cities of Bath, Briſtol, Hereford, Lincoln, Cheſter, Coventry, Exeter, Glouceſter, Litchfield, Norwich, Saliſbury, and Worceſter; and the towns of Colcheſter, Derby, Liverpool, Lancaſter, Leiceſter, Nottingham, Newcaſtle upon Tyne, Shrewſbury; and the pariſhes of Birmingham, Aſton, Edgbaſton, Mancheſter, Preſtwick, Eccles, and Flixton.

By an order of council of May 21. the prohibition to export, or carry coaſtwiſe, gunpowder, ſaltpetre, or any ſort of arms or ammunition [105.], is continued for three months from the 23d of May.

Dr Franklin has written to every captain in the ſervice of the United States of America, following in this the example of the court of France [166], ordering them to let paſs free and unmoleſted, Capt. Cook, the circumnavigator, who is expected to be now on his return to England. This letter was dated March 10. 1779, from Paſſy, near Paris, where the Doctor reſides; and is ſubſcribed, *B. Franklin, Miniſter Plenipotentiary from the United States to the court of France.*

By letters from Lt-Gov. Corbet of Jerſey, to Lord Weymouth, of May 1. and from Adm. Arbuthnot to the Admiralty, of May 2. & 6. it appears, that five large veſſels, and a great number of boats, appeared on the coaſts of that iſland on the 1ſt of May, in order by a coup de main to effect a landing; but that, by the ſpirited march of the 78th regiment, and the militia of the iſland, with ſome few of the artillery which they

were

were able to drag through the heavy ſands, the enemy were beat off, and obliged to give up their hoſtile intentions, without any other loſs on our ſide than a few men wounded by the burſting of a cannon. Upon this intelligence, however, orders were inſtantly diſpatched to the commaading officers of his Majeſty's ſhips at Portſmouth and Plymouth, to ſend a number of frigates and ſloops for the protection of the iſlands of Jerſey and Guernſey; and in the mean time Adm. Arbuthnot had quitted his convoy, and advanced to their relief; but on finding a force ſufficient there, under the command of Capt. Ford of the Unicorn, for their ſecurity, he was proceeding, at the time his letter was dated, to rejoin the trade, in order to purſue his voyage. In this ſituation things remained on the 8th of May. A private letter takes notice, that the firſt and only veſſel that attempted to land, either was ſtruck with a ſhot, or daſhed upon a rock, and fifteen or eighteen were drowned; twenty got aſhore, and ſurrendered; the reſt got off ſafe.

The following were given out in general orders, at Jerſey, May 8. 1779.

"It is with pleaſure that the Lieutenant-Governor finds himſelf ſhort of words to expreſs his ſatisfaction of the activity, ſpirit, and diligence, ſhewed by the King's troops, as well in garriſon as the field, on the firſt of May inſtant: by which, jointly with the militia, and the aid of Providence, the enemy, with a powerful armament, were prevented from landing a ſingle man. The 78th regiment ſo chearfully performing a very tedious and heavy march, returning to their camp after the fatigue of the day, to cover that coaſt from any ſurpriſe, is a ſure mark of the confidence the men juſtly place in their officers, of their regard to the ſervice, and much to the honour of the corps. The Lieutenant-Governor, therefore, begs the officers of the King's troops will themſelves receive, and convey to their men, his particular thanks for their behaviour on that day, at the different ſtations.

MOSES CORBETT, Lieut.-Gov."

The States of Jerſey were likewiſe ſo ſenſible of the gallantry and good behaviour of Lord Seaforth's regiment, the 78th, upon the above occaſion, that their thanks were voted for their eſſential ſervices; which were accordingly delivered to them by the chief magiſtrate of the iſland on the 20th of May.

How happy is it that, by ſoftneſs and prudence, theſe brave fellows were reclaimed to their duty, when they mutinied at Edinburgh in September laſt year! [40. 726.]

"*Admiralty-office, May* 17. Lieut. Wallace, of his Majeſty's ſhip the Experiment, arrived laſt night from Portſmouth, with a letter from Capt. Gidoin, of his Majeſty's ſhip the Richmond, to Mr Stephens; of which the following is a copy.

SIR, *Richmond, off Cape Frehel, May* 14. 1779.

I did myſelf the honour of writing to you the 10th inſtant by Sir James Wallace, commander of his Majeſty's ſhip Experiment; but a weſterly wind obliged him to return the ſame day to the anchorage in Boulé bay, Jerſey, not being able to get out. The next day I received a letter from the Lieutenant-Bailie of that iſland, informing me, that a fleet of French ſhips were ſeen near the iſlands of Choſé. Some ſmall veſſels were in conſequence ſent to reconnoitre; and ſhortly after we plainly from the heights diſcovered them to be three ſhips, a brig, and two ſloops, and ſaw them anchor that night off Coutances.

It appeared moſt eligible to divide our force, for the better intercepting them; therefore Sir James Wallace, with the Experiment, Pallas, Unicorn, Fortune, Cabot brig, and a lugſail veſſel, (whoſe owners had voluntarily offered her to proceed with the King's ſhips) was to proceed round the weſt end of Jerſey for that purpoſe; and I ſailed with the reſt of the ſhips and veſſels, and three more armed lugſail veſſels, (whoſe owners had made the ſame offer as the former), and ſteered for Coutances bay, where the French were ſtill at anchor. When we had approached within three or four leagues of them, a ſignal was made from the commanding ſhip to weigh (the topſail-yards hoiſted aloft with the ſails furled): they immediately weighed, and puſhed with all their ſails ſet towards St Maloes; not expecting, I ſuppoſe, another diviſion of our ſhips. We continued following them; but at ten o' clock that night, it being almoſt calm, and the tide againſt us, we were obliged to anchor, being then in the narrow paſſage between Granville and the iſlands of Choſé. The next morning at three we weighed: there was very little wind,

and that foutherly; which obliged the Richmond, with the other ſhips, in the forenoon, to anchor, the tide being ſtill againſt us. At ten, ſaw ſome ſhips over the iſlands of Choſé, and ſoon after diſcovered they were the other diviſion of our ſhips, in purſuit of thoſe of the French, then at anchor in Concale bay. Juſt before noon there was a ſmart cannonade, in which the batteries from the ſhore took a part.

I muſt beg leave to refer you for other particulars to the incloſed papers, tranſmitted to me by Sir James Wallace.

I have the honour to be, &c.

JOHN LEWIS GIDOIN.

"The 11th of May 1779, at anchor in Boulé bay, a number of veſſels appearing on the French coaſt, Capt. Gidoin thought it proper to divide his Majeſty's ſhips there; the *Experiment*, Pallas, Unicorn, Fortune, and Cabot brig, to go round the S. W. end of Jerſey, while he with the reſt went to the S. E. The 12th, at half paſt three, p. m. weighed, and came to ſail; at ſeven we got round, and ſteered all night over for the French ſhore. The 13th, at day-light, ſaw a frigate coming out of St Maloes, and five or ſix others to leeward ſtanding into Concale bay. Gave chace to the frigate: ſhe got in under the batteries of St Maloes: bore up, chaſed thoſe to leeward; they went into Concale bay, and on our appearing run aſhore; they were three frigates and an armed cutter. The Experiment run in upon the ſhore directly among them, and began an action, which laſted about one hour and a half; during which the crews from the French all left them; then the boats from all our ſhips boarded, and brought them off. At this time the enemy had brought down cannon, howitzers, &c. kept up ſo ſmart a fire, that our people thought it proper to burn two of their frigates, and leave the cutter ſcuttled on the ſhore; the third we bring with us, together with a brig, ſloop, &c. From ſome of the priſoners we are informed, that theſe were the ſhips who were to co-operate with 2000 troops of the Prince of Naſſau's, who are now encamped upon a ſmall iſland called *Sezambre*, about two leagues from St Maloes.

JA. WALLACE.

N. B. The Experiment was hulled in ſeveral places, and her ſails and rigging much damaged by the ſhot. She had two men killed, and thirteen wounded, two of which dangerouſly. The purſer of the Cabot had his leg ſhot off, and two of her men were wounded."

A liſt of the enemy's ſhips and veſſels taken and deſtroyed.

La Danae; 34 guns, 250 men, deſerted by her crew, boarded by the boats of the fleet, brought off, and ordered to Portſmouth or Plymouth, under the command of Lieut. Rothe, 1ſt of the Experiment.—La Valeur; 26 guns, 160 men, burnt by Capt. Dod of the Cabot.—Le Reeluſe; 24 guns, 130 men, burnt by Lieut. Rothe, 1ſt of the Experiment.—Le Dieppe, a cutter; 16 guns, 80 men, ſcuttled and left on ſhore by our people.—La Fleur, a ſloop of 40 tons, 4 men, taken about ten in the morning, loaded with timber for building, for St Maloes, from the river Vivian.—A brig, about 50 tons, and a ſloop, ſame burthen, deſerted by their crews, taken, one ſaid to be loaded with lintſeed, the other with lead.—N. B. Several fiſhing-boats, and other ſmall craft, deſtroyed.

Lieut. Wallace relates, that the Experiment being greatly annoyed by a battery of ſix twelve-pounders, Sir James Wallace judged it expedient, after ſilencing the Danae, to ſilence the battery alſo, in order to effect the deſtruction of the other frigates and cutter; and the pilots refuſing to take charge of his ſhip, carried her up the bay himſelf, and laying her aſhore abreaſt of the battery, ſilenced it in about three quarters of an hour: ſoon after which the crews of the abovementioned frigates and cutter abandoned them, and the boats of his Majeſty's ſhips immediately boarded them." *Gaz. Extr.*

On the 1ſt of May ſailed from St Helen's the New-York fleet, conſiſting of about 400 ſail, under convoy of Adm. Arbuthnot in the Europe, of 64 guns, with two ſhips of 74 guns, one of 64, one of 50, one of 28, a fire-ſhip, and ſeveral armed ſhips. But the Admiral receiving intelligence next day, at ten o'clock, that the iſland of Jerſey was attacked, he thought it his duty to give it every poſſible relief; and accordingly arrived at Guernſey on the 4th, with all the war-ſhips and ſome tranſports; where having learned that the French had left Jerſey, and that ſeveral Britiſh war-ſhips had arrived there, the Admiral ſteered on the 6th for Torbay, whither the trade had retired. On the 24th ſailed from Portſmouth, Adm. Darby, with ten ſail of the line, and two frigates, to join

join Adm. Arbuthnot, and see the trade to a certain latitude.

A very ingenious forgery on the bank of England was lately discovered. A person who had taken out notes payable to James Maxwell became suspected; and before the middle of April he having called at the bank, was apprehended, and examined by the directors, and by them referred to Sir John Fielding; to whom the name occurring as under some former predicament, the records of Bow-street were searched; and there Mr Maxwell stood advertised, by hand-bills, and by news-papers in town and country, as well as Sir John's Hue and Cry, under the name of *James Matthison*, for several forgeries on the Newcastle and Darlington banks. A mark on his leg, and several other particulars, fully answering the description, he immediately lost all confidence, and confessed, that his real name was *John Matthison*; that he came from Gretna Green, in Annandale, in Scotland, and was the person meant in the advertisements; that, with regard to the forgery on the bank, no person whatsoever was concerned with him in any part of the work: and he made a candid confession of all his different forgeries.—He was tried at the Old Bailey, May 20. Samuel Fids, a teller of the bank, and a witness on the trial, was present at the apprehension of the prisoner: he was then let go, and next day retaken, with a bundle, containing paper, pistols, and graving and watch tools, 200 guineas, and some ten-pound bank-notes. Mr Acton, solicitor of the bank, saw the bundle taken from him on the 15th of April. He then denied the forgery, but next day confessed. He had no promises of mercy; but confessed voluntarily. He said, the water-mark might be put in after the paper was made; but he would not disclose the mode of doing it; for he said, no other man knew the art, and the public might be injured by the discovery. The jury, after deliberating some time, found him guilty. His own confession was the strongest evidence against him, without which it is thought he could not have been legally convicted, though no doubt remained of his guilt.

Ireland. [52.]

"*Dublin, April* 27. Yesterday, pursuant to notice issued by the high sheriffs of this city, a numerous body of the aggregate inhabitants assembled at the Tholsel, to take into consideration the most effectual method of promoting the trade and manufactures of this country; when it was resolved, that from and after the first day of May next, they would not, directly or indirectly, use any of the goods or wares of G. Britain which can be manufactured in this kingdom. The rest of the resolutions were similar to those entered into by the corporation of the Quarter-Assembly."

"*Dublin, May* 4. We have received from all quarters of the country, accounts of associations among towns, villages, and even families, not to consume for the future any British manufactures whatsoever."

"*London, May* 29. The Irish papers contain advertisements from the high sheriff and grand juries of the counties of Mayo, Monaghan, and Roscommon, asserting, that they will in future wear only the manufactures of their distressed country, and recommending the same resolution to the rest of that kingdom.

In the month of April, recantations from the errors of the church of Rome were read by three persons: by Mary Macgrath, in the parish-church of St Bridget, Dublin; by Richard Talbot, Esq; of Mallabide, in the parish-church of St Mary; and by the Rev. Barnabas O'Farral, a Capuchin friar, in the parish-church of St Michan, before the Rev. Mr Butler: and they all embraced the Protestant religion.

On the 8th of April last, the meeting-house of Mr John Rogers, (a minister of the Burgher Seceders), near Ballybay, in the county of Monaghan, was maliciously set on fire, and consumed, together with the pulpit, pews, tables, &c. and also the retiring-house.

Scotland. [220.]

The general assembly of the church of Scotland, met, at Edinburgh, on *Thursday, May* 20. [40. 275.]. —— After a sermon, from Phil. iv. 5. by Dr Patrick Grant, minister at Urray, the former moderator, the assembly convened; and Dr James Gillespie, one of the ministers of St Andrew's, having been proposed by the moderator to be his successor in that office, and the assembly having put in nomination also Dr James Blinshall, one of the ministers of Dundee, Dr Gillespie was chosen, 107 to 38. No other question was put to a vote in this assembly: A remarkable instance of concord in so numerous

numerous a body, who ſat ten days, and before whom ſo many queſtions were agitated. George Earl of Dalhouſie was Commiſſioner, this the third time. His Grace preſented his commiſſion, the King's letter to the aſſembly, and the warrant for payment of the 1000l. royal bounty; and then made a ſpeech to the aſſembly; to which the moderator made a ſuitable return. His Grace in his ſpeech ſaid, that he had his Majeſty's command to aſſure the aſſembly, that his Majeſty was determined to maintain the rights and privileges of the church of Scotland, as by law eſtabliſhed, in their fulleſt extent; and would not countenance any attempt to alter the laws reſpecting Popery in this country. He alſo informed the aſſembly, that from the converſations he had had with his Majeſty's miniſters, though they conſidered the very limited indulgence granted to the Roman-Catholics in England as what could not be productive of the ſmalleſt bad conſequences to the Proteſtant religion; yet no ſooner were they informed, that the extending this indulgence to Scotland would be diſagreeable to many of his Majeſty's good ſubjects in this part of the united kingdom, than they immediately determined not to give the ſmalleſt encouragement to any alteration of the laws at preſent in force againſt Popery. And while his Grace thus gave the moſt ample aſſurances that could be given, that every idea of introducing a bill to repeal the penal laws againſt Papiſts was laid aſide, he at the ſame time animadverted, in pretty pointed terms, on the unconſtitutional and riotous proceedings which lately took place in this country. [108.]

A motion was made for an addreſs to the King; which was unanimouſly agreed to; and the committee appointed to prepare a draught of the anſwer to the King's letter, were appointed to prepare alſo a draught of the addreſs.

Friday, May 21. On report of a committee, the following miniſters were appointed to lecture and preach in the forenoon, and to preach in the afternoon, before the Commiſſioner, viz. Mr John Scotland of Linlithgow in the forenoon, and Mr Robert Foote of Fetteſairn in the afternoon, of Sunday May 23. and Mr Alexander Mackie at Arbroath in the forenoon, and Mr James Ferguſon at Dolphington, in the afternoon, of Sunday May 30.

Saturday, May 22. Draughts of the anſwer to the King's letter, and of the addreſs, were preſented, read, approved of unanimouſly, ſubſcribed by the Moderator in the preſence of the aſſembly; and, at their deſire, the Commiſſioner undertook to tranſmit them. —— The addreſs was preſented by the Viſcount Weymouth, was received very graciouſly, and appeared in the gazette of May 29. viz.

" May it pleaſe your Majeſty,

WE, your Majeſty's moſt faithful ſubjects, the Miniſters and Elders of the Church of Scotland, met in National Aſſembly, beg leave to approach your throne with our reſpectful congratulations upon the birth of another prince. While we rejoice in every event which augments the domeſtic felicity of a ſovereign endeared to his people by his amiable virtues, we regard the increaſe of your Majeſty's family as an additional ſecurity to our religion and liberties; and we number, with much ſatisfaction and thankfulneſs, the princes born in the Royal family, as raiſed up by the Divine Providence to afford your ſubjects the happy proſpect of enjoying, through a courſe of ages, under the protection of your Majeſty's deſcendents, that full exerciſe of the Proteſtant religion, and thoſe civil immunities, which the illuſtrious Houſe of Hanover was called to maintain, and of which your Majeſty has been the faithful guardian.

In this ſeaſon of national exertion, and public alarm, we conſider it as our duty to expreſs an inviolable attachment to your Majeſty's perſon and government: And we are happy in being able to aſſure your Majeſty, that the ſame ſentiments of duty and affection which we entertain, prevail amongſt the people committed to our care. That loyalty which prompted the exertions lately made in this part of your Majeſty's dominions for internal ſecurity, and the ſupport of the national honour, remains unſhaken. The open aſſiſtance given by the natural rivals and enemies of Great Britain to the rebellious colonies in North America, has united all ranks of men in zeal for the common cauſe. They rejoice in the ſucceſs which attends your Majeſty's arms in different quarters of the world; they confide in the wiſdom and vigour of your Majeſty's councils; and they, truſting in the Almighty, look forward with the ſolicitude of good citizens, to a happy termination of the preſent commotions.

It

It ſhall be our conſtant ſtudy to cheriſh theſe ſentiments of loyalty in the breaſts of our people; and to approve ourſelves the dutiful ſervants of the Prince of Peace, by inſpiring thoſe over whom we have influence, with the warmeſt ſenſe of the ſecurity and felicity which they enjoy under your Majeſty's mild, legal, and paternal adminiſtration.

That the Lord God of hoſts may go forth with your Majeſty's fleets and armies, and crown them with victory; that he may defeat the deſigns of our enemies: that he may open the eyes of our deluded fellow-ſubjects: that the authority of law, and the bleſſings of liberty, may be ſpeedily felt and acknowledged throughout all the parts of this extended empire; and that your Majeſty may long reign the ſovereign of a free, a happy, and united people, are the earneſt prayers of,

May it pleaſe your Majeſty,
Your Majeſty's moſt faithful, moſt obedient, and moſt loyal ſubjects,
The Miniſters and Elders met in this National Aſſembly of the Church of Scotland.

Signed in our name, in our preſence, and at our appointment, by
JA. GILLESPIE, Moderator.
Edinburgh, May 22. 1779."

Overtures were ſent to the aſſembly by the ſynods of Merſe and Teviotdale, Glaſgow and Air, Perth and Stirling, Angus and Mearns, and Roſs, to prevent a repeal of the penal ſtatutes againſt Papiſts. The four ſynods firſt mentioned recommend the appointment of a ſtanding committee to watch over the intereſts of the Proteſtant religion; the ſynod of Roſs injoin their ſeveral preſbyteries to inſtruct their repreſentatives in the aſſembly to ſupport and carry on the intention of the reſolutions entered into and declarations emitted by the ſynods, preſbyteries, and pariſhes in this church on that ſubject. The ſynod of Merſe and Teviotdale recommend to advert particularly to the want of new erections in the highlands and iſlands. The ſynod of Perth and Stirling take notice of the petition to parliament, intimating the expectation of the Roman-Catholics of a more favourable opportunity for renewing their application for the repeal, and making an indefinite claim to the protection of parliament [153.], without ſpecifying the particular object they have in view, which protection, if obtained, might amount to a virtual repeal.

Tueſday, May 25. The aſſembly took under conſideration ſeveral overtures concerning Popery. After reading the overtures, and reaſoning long on the affair, the aſſembly, agreeably to a motion made in the courſe of their reaſonings, unanimouſly came to the following reſolution.

"The General Aſſembly of the Church of Scotland, having taken into their ſerious conſideration, the public alarm excited in this part of the united kingdom, from the apprehenſion of an intention to repeal the laws enacted to prevent the growth of Popery, think it their duty to make this public declaration of their ſentiments, on a ſubject in which the intereſts of religion, and of their country, are ſo deeply concerned. While they expreſs their gratitude to Providence, for the invaluable privileges enjoyed by this national church, and the ſecurity afforded to the Proteſtant religion by eſtabliſhed laws, they declare their firm attachment to the principles of civil and religious liberty, and their earneſt deſire, that univerſal toleration, and liberty of conſcience, may be extended to Proteſtants of every denomination. But they think it their duty alſo to declare their firm perſuaſion, that a repeal of the laws now in force againſt Papiſts would be highly inexpedient, dangerous, and prejudicial to the beſt intereſts of religion and civil ſociety in this part of the united kingdoms. Entertaining theſe ſentiments, it is with much ſatisfaction they have received aſſurances from the higheſt authority, that the bill intended for repealing the laws for preventing the growth of Popery in Scotland is laid aſide, and they confide in the wiſdom of legiſlature, that it will not in future be reſumed. They likewiſe think it their duty, on this occaſion, to expreſs their ſtrongeſt diſapprobation of thoſe lawleſs mobs, which have ſo lately diſgraced the good cauſe which, in the blindneſs of popular zeal, they were meant to ſerve; and earneſtly recommend it to the people under their care to ſhow the influence of their religion by a quiet and charitable ſpirit, approving themſelves worthy of their civil and religious liberties, by a peaceable and moderate behaviour. The General Aſſembly further judge it expedient and neceſſary, to give particular inſtructions

inſtructions to their commiſſion on this ſubject: And they did, and hereby do, appoint the commiſſion to watch over any ſteps which may hereafter be taken for removing or weakening our legal ſecurities againſt Popery; and that they may be able more effectually to attend to this object, the Aſſembly hereby authoriſe and appoint the moderator of the commiſſion to call meetings *pro re nata*, as often as he ſhall be required ſo to do by any ten members of the commiſſion. The General Aſſembly do further reſolve to exert their moſt effectual endeavours, in order to provide for the better inſtruction of the people in thoſe corners of the church where Popery chiefly abounds, by increaſing the number of ſtated paſtors among them."

Wedneſday, May 26. On reading the reſolution of yeſterday, a motion was made, and agreed to, to cauſe print 1000 copies of it, to be ready in two days, and to lie in the Society-hall, to be called for by the members of aſſembly, to be carried by them to their reſpective places of abode, in order to quiet and ſatisfy the minds of the people; and the clerks were authoriſed to furniſh extracts of it to the publiſhers of the news-papers. The reſolution accordingly appeared in the news-papers, atteſted thus: "Extracted from the records of Aſſembly, by JOHN DRYSDALE, Cl. Ecc. Scot."

This day were taken under conſideration four petitions, — of the donors for purchaſing and building the meeting-houſe in Dunfermline occupied by the late Mr Thomas Gilleſpie, of the magiſtrates and town-council, and of the guildry, of that borough, and of 118 heads of families, of the pariſh, appellants from ſundry proceedings and ſentences of the preſbytery of Dunfermline of May 5. & 12. 1779.—Our readers have ſeen the proceedings of five aſſemblies on this ſubject already [40. 275.]. — A Caſe for the appellants, and an Information for the preſbytery, were printed, and diſtributed. From theſe it appears, that the donors, &c. petitioned the preſbytery on the 7th of April 1779, propoſing ſpecifically, that the collections at the chapel ſhould be diſpoſed of according to the laws now in being; the conſideration of which petition the preſbytery delayed till their next meeting. The donors, &c. May 5. petitioned the preſbytery to grant the deſire of their petition of April 7. But as it appeared to the preſbytery, that that petition contained new matter, and differed from the petition of May 7. 1777 [39. 278.], remitted by the laſt aſſembly [40. 274.], they reſolved to take up the cauſe on the footing of the former petition, and ordered the clerk to return the petition of April 7. after writing on the back of it, "That it was produced and read in the preſbytery of Dunfermline, rejected, and returned." The donors, &c. appealed to the aſſembly.

The preſbytery, in ſupport of their judgement, ſay,

1. There is no occaſion for an additional place of worſhip in Dunfermline. The appellants ſtate the number of ſouls at 9000. But this eſtimate, though very much exaggerated, is a circumſtance of no moment in the preſent queſtion. The pariſh-church is large and capacious: and as Dunfermline was one of the original ſeats of ſeceſſion, the number of Seceders make a very great proportion of the inhabitants: in the town there is one of the largeſt Burgher meeting-houſes in Scotland, which is a collegiate charge, and filled with a vaſt number of people; in the town there is likewiſe the new Relief meeting-houſe, which is filled with Mr Gilleſpie's congregation ſince their expulſion from their former houſe by the power of theſe donors; and in the immediate neighbourhood, within the pariſh of Carnock, there is an Anti-burgher meeting-houſe.

2. The number of people petitioning is too ſmall to be indulged with a ſeparate houſe. The ſcheme of a chapel of eaſe is the work of a ſmall faction, who, after the moſt zealous canvaſs, carrying about their paper through every corner of the pariſh, and even into the neighbouring pariſhes, have been able to produce the names only of 102 perſons, or thereabout, and theſe not heads of families, but, in many caſes, as there is reaſon to believe, man, wife, child, man-ſervant, maid-ſervant, in the ſame houſe. — [To the Caſe for the donors is ſubjoined their petition to the preſbytery, of April 7. 1779; and 110 names are ſubſcribed to it; of whom the firſt and upwards of twenty more are female.]

3. The ſcheme of a chapel of eaſe in Dunfermline is contrary to the declared inclinations of both the miniſters of the pariſh. The church of Scotland hath, in the moſt ſolemn manner, conſigned into

into the hands of the Reverend Messr. Thomson and Fernie the spiritual charge of all the members of her communion within the parish of Dunfermline. They received this charge to be held *in vitam aut ad culpam*, in terms of the known and stated constitutions of the church. While they continue to fulfil their part of this ordination-covenant, the church cannot, consistently with good faith, recal any part of her grant; she cannot, consistently with the great objects of her care, weaken the hands of her ministers in the work of the Lord. The church hath in no instance hitherto incurred this guilt. In those few chapels which have been erected in Scotland, and where there was a real necessity in the article of accommodation, the consent of the parish-ministers hath uniformly been regarded as an indispensable preliminary, without which no petition to that effect could ever be granted by a church-court.

4. The petitioners have declined to explain themselves concerning those terms which are necessary to be ascertained before granting a chapel, even upon the supposition of the insufficiency of the parish church.—They engage to give security for a yearly stipend not less than 50 l. Sterling, only so long as he shall continue to officiate in that congregation; and if the seats should not continue to set, so as to indemnity those who engage for it, the minister may easily be incommoded and starved out till he leave them, as already was the case with a Dissenting minister they had brought there from England. Besides, the stipend being offered, not during the minister's *incumbency*, but while he shall continue to *officiate*; perhaps when he might be laid aside from *officiating* by age or infirmities, he might find himself without a stipend when most of all he stood in need of it.

5. To grant this chapel, would be to encourage schism in the parish of Dunfermline.

6. To grant the desire of the petition in the present circumstances of the parish of Dunfermline, would establish a precedent prejudicial to the interests of religion, and fatal to the constitution of the church of Scotland.—The idea of the projected institution is shortly this. A meeting-house, where no new place of worship is needed, erected over the bellies of the ministers of the parish, under the management of men in whom interest and faction conspire to render them zealous in its support; to be filled with people drawn from the churches of the establishment; to be supplied with a minister to be elected by the people, and dependent upon the donors for the pitiful allowance of 50 l. per annum, while he continues to officiate, accountable to the donors alone for his life and doctrine, and removeable at their pleasure.—Such an erection would establish a precedent by which the usefulness of the clergy may be destroyed; by which the people, whom the legislature hath committed in their religious capacity to the care of a church which it knows and protects, are thrown loose as a prey to a weak and independent priesthood; and a precedent, by which the constitution of the church of Scotland is completely and finally unhinged. An established church is not so trifling a thing in human affairs as to be thus wantonly overthrown. The weight of an established church in the interests of government, was experienced with decision in this kingdom, when a Popish pretender threatened the liberties of Britain. Had there been a regular church established by law in North America, peace and loyalty had to this day prevailed in the thirteen provinces. The clergy of independent congregations are the instruments of sedition: an established clergy are the ministers of peace. It is not very wise to deprive this kingdom of so firm a political support, until the superior excellence of a set of independent congregations is demonstrated, and the consent of the legislature obtained to rescind the Presbyterian system.

The donors, &c. say, That the body of people asking a chapel of ease, are sufficiently numerous, deserving, and respectable, to be indulged in their request.—The concurrence of the magistrates and guildry, who must know the circumstances of the parish, and of the persons standing in need of a chapel, affords the strongest testimony in its favour.

By the presbytery's argument (continue they) however much the good of the parish of Dunfermline is interested in sending an assistant to the ministers, there would be a guilt incurred by doing it against their inclination. It is apprehended the guilt would be in with-holding one. We are taught to pray, that when the harvest is great, much to be reaped, much in danger to be lost, the

Lord would ſend labourers to the harveſt. The preſbytery confeſs, the harveſt is extenſive, in bad condition, and likely to be loſt; but they urge, that it belongs in property to two people; and to ſave any part of it, though otherwiſe to be loſt, would be to commit a theft on their property.

The appellants (ſay they) have made every offer which can in reaſon be deſired. Their ſubordination to the church-judicatures, and to them only, — their ſubmitting to the common mode of making and diſpoſing of the collections for the poor, or to any other equitable mode of managing them that ſhall be dictated to them, — their offers to take their requeſt only on giving ſecurity for a moderate ſtipend to their miniſter during his incumbency, — are all ſpecific offers; and, beſides, they offer, in general, any other reaſonable condition which it is thought proper to require. On the other hand, they aſk only the choice of their miniſter, and an opportunity to hear preachers, that they may chuſe an able miniſter.

There is nothing (add the donors, &c.) in the erection of chapels of eaſe, where circumſtances like thoſe in the preſent caſe occur, unfavourable to the intereſts of religion, of the church, or of the ſtate. It is well known, that almoſt the only circumſtance which preſerves any conſiderable ſects in exiſtence, is the pleaſure that their followers find in chuſing their paſtor. This privilege compenſates for the mediocrity of his talents, and the imperfections of his education. Hence both the flock and the ſhepherd are expoſed an eaſy prey to fanaticiſm, the eſtabliſhed church is deprived of her members, and the ſtate is leſs certain of its ſubjects. If chapels of eaſe are granted with prudence, and on proper terms, they afford the higheſt probability of redreſſing theſe evils. Let the heads of families have the choice of their paſtor, but let him be leſs comfortably provided than in the eſtabliſhment, the following advantages ſeem to be the neceſſary conſequences. The ſectaries loſe the diſtinguiſhing prerogative that ſupports them; and the dignity and weight of an eſtabliſhed church, with the natural affection of moſt Scotſmen to Preſbytery, muſt ſoon altogether cruſh them. The people thus, in place of being expoſed to teachers without education, who muſt preach ſchiſm, and abuſe againſt the church, for bread, will have the benefit of obtaining miniſters of a regular education, who are members of the church. And theſe miniſters, having neither ſeats in the church-judicatories, nor livings ſo comfortable as in the eſtabliſhment, will naturally wiſh to obtain ſuch advantages; and will therefore take care, while they cultivate popularity, to preſerve that dignity of character that may recommend them with men of ſenſe to preferment. The church again, while ſhe recovers her ſtrayed children, will acquire an additional body of clergymen, who muſt become a uſeful ſource for ſupplying advantageouſly the livings that confer a ſeat in her judicatories: and, as the preſbytery have obſerved, the ſtate will grow ſtronger from the ſtrength of the church. It is not enough, as the preſbytery argue, to drive fanatical enthuſiaſm out of the church; it ought, if poſſible, to be drove out of the land. It is moſt true, that the ſectaries have favoured rebellion in America: ſeize, then, the opportunity to take meaſures which may ſap the exiſtence of ſectaries at home. It is ſaid, Better to have open ſectaries than change them into fanatical congregations. But is there good ſenſe in this? Change the meeting-houſes of ſectaries into chapels of eaſe, and, of courſe, the people get well-educated teachers, with motives to inculcate attachment to church and ſtate, in place of wild enthuſiaſtic declaimers, who have, in general, powerful motives to the contrary. This is a moſt material change to the better, and probably will be attended with the ſtill further change, that where the populouſneſs of the country does not require it, the chapels of eaſe will gradually be dropped, as the people loſe ſight of their fondneſs for popular elections, and acquire that cultivated ſtate of manners which prepares the ear to reliſh the ſimple words of truth and ſoberneſs.

Parties were heard in the aſſembly; and, after long reaſoning, a motion was made, "That the general aſſembly ſhould reverſe the ſentences of the preſbytery of Dunfermline, and grant the deſire of the petitioners, of erecting a chapel of eaſe: but whereas ſome of the conditions and proviſoes mentioned in the petition ſeem to want explanation, the aſſembly ſhould appoint a committee to conſider whether any of theſe conditions ſhould be varied, or others annexed; and to report their opinion to the aſſembly

aſſembly to-morrow." Which was unanimouſly agreed to by the aſſembly; and a committee of ten miniſters, and one ruling-elder, was appointed to conſider the conditions and proviſoes mentioned, and to report next day.

Thurſday, May 27. The before-mentioned committee gave in their report; which was read and reaſoned upon; and the aſſembly unanimouſly agreed to theſe conditions and proviſoes, viz.

1. "The general aſſembly allow and authoriſe the petitioners to employ any licentiate or miniſter of the church of Scotland, to officiate occaſionally in the meeting-houſe now to be uſed as a chapel of eaſe, until a ſtated miniſter be appointed; it being always underſtood, that previous to their employing any miniſter or probationer, they ſhall lodge a liſt of the names of ſuch perſons as they intend to employ, before they preach in the chapel, and every probationer ſhall lodge his licence, and other certificates, in the hands of the moderator of the preſbytery, before preaching in the chapel.

2. The petitioners ſhall proceed to the election of a ſtated miniſter on or before the 1ſt of May next.

3. When the petitioners reſolve to proceed to an election, they ſhall intimate their reſolution to the preſbytery of Dunfermline, requeſting them to appoint one of their number to preſide at that election: and the preſbytery is hereby injoined to comply with that requeſt, within a fortnight at fartheſt after it is made. If the preſbytery make no appointment within the time limited, or if the perſon nominated by the preſbytery does not attend, the petitioners are authoriſed to proceed to the election by themſelves.

4. If the perſon elected ſhall be a probationer, the preſbytery is appointed to proceed to ordain him to the office of a miniſter according to the rules of the church. If the perſon elected ſhall be an ordained miniſter of the church of Scotland, it ſhall be competent for any of the miniſters of the pariſh to preach along with the perſon elected, and introduce him to the chapel of eaſe; or if they ſhall decline that ſervice, when application is made to them, it ſhall be competent for any other miniſter of the preſbytery.

5. It ſhall not be competent for the petitioners to elect any miniſter or probationer to be miniſter of the chapel of eaſe, but one entirely of the principles of the church of Scotland with regard to worſhip, doctrine, diſcipline, and government, and who ſhall ſubſcribe the ſtandards and formula injoined by the church: it being alſo underſtood, and provided, That the petitioners and others who ſhall form the congregation that meets in the chapel of eaſe, ſhall remain ſubject to the juriſdiction of the church of Scotland, and her different judicatories.

6. That collections ſhall be made regularly at the doors of the chapel, and the ſums ariſing therefrom ſhall be applied as part of the common fund for the maintenance of the poor of the pariſh.

7. That before the preſbytery ordain a probationer, or introduce a miniſter, to the ſaid chapel, the petitioners ſhall lay before the preſbytery a ſecurity which appears to the preſbytery ſufficient, for a ſum not leſs than 50 l. Sterling, as his yearly ſtipend, ſo long as he ſhall continue to officiate in that congregation: And if the preſbytery entertain any doubt concerning the validity of the ſecurity which is offered, the ſame ſhall be tranſmitted to the procurator of the church for his opinion; and the preſbytery is appointed to proceed according to that opinion."

On a repreſentation, that many pariſhes had neglected to make the collection for the ſupport of the charity-ſchools, ordered [36. 276.] by preceding aſſemblies, the aſſembly recommended it to the ſociety for propagating Chriſtian knowledge, to ſend a new copy of the act of aſſembly appointing this collection to be made, with a liſt of thoſe that are deficient in making the collection, to the moderator of each preſbytery; and renewed the appointment upon deficient preſbyteries or pariſhes to make the collection betwixt and next aſſembly.

Friday, May 28. On report of the committee for overtures, the aſſembly retranſmitted to preſbyteries the overtures reſpecting the licenſing of probationers, and the ordination of elders; and as to the overture reſpecting perſons going out of the bounds of the church to obtain licences and ordination, it was found to be approved of by forty-two preſbyteries, and the aſſembly paſſed it into an act.

Affirmed the ſentence of the ſynod of Perth and Stirling, which was complained of by Peter Lumſden tenant in Peel. —This man was accuſed of adultery with

Janet Lenie, a widow, and denied the charge. In ſupport of it, her brothers and ſiſters in law were adduced as evidences. He objected to their being received, becauſe of their near relation to her. The kirk ſeſſion over-ruled the objection; and their judgement was affirmed by the ſuperior judicatures. The principle adopted was, That it is competent for eccleſiaſtical courts to receive the evidence of near relations in the caſe of occult crimes, ſuch as the preſent; but that it ought to be received *cum nota*.

Took under conſideration a letter from Mr James Bryſon, moderator of the ſynod of Ulſter in Ireland.—A diſſenting congregation at Kirkcubbin in Ireland gave a call, dated Jan. 25. 1778, to Mr George Bryden, a probationer in the preſbytery of Lauder, with a bond for 50*l.* Sterling yearly, ſo long as he ſhall perform the miniſterial office among them; requeſting the preſbytery to ordain him as their miniſter. With which requeſt the preſbytery complied. At a meeting of preſbytery, May 4. 1779, a letter from Mr Bryden was read, informing the preſbytery, that he having made application to the ſynod of Galway in Ireland, deſiring to be admitted a member, the ſynod not only rejected his application, but entered into a reſolution, to write to the aſſembly, complaining of the preſbytery of Lauder, as having acted towards them an unfriendly and unpreſbyterian part, in ordaining Mr Bryden miniſter at Kirkcubbin.—In the letter to the aſſembly the ſynod ſay, that the preſbytery of Lauder "had ordained a Mr Bryden, and ſent him over to officiate as a miniſter to a part of the pariſh of Ballynalbert, calling themſelves *the congregation of Kirkcubbin*. This ſmall body of people (continue they) applied to the general ſynod of Ulſter, praying to be erected into a diſtinct congregation. It appeared to the ſynod, after the fulleſt inquiry, that this petition was not founded on any religious concern, or matter of conſcience; and conſequently that the granting it could not anſwer any valuable end; but, on the contrary, would be injurious to neighbouring congregations, and prejudicial to the intereſt of religion. They therefore refuſed the petition.—Inſtances of the like kind, in other of your preſbyteries, we have paſſed over unnoticed: but in order to prevent ſuch unhappy interruptions of our peace in future, we do make it our unanimous requeſt, that you will be pleaſed to inſpect into the conduct of the ſaid preſbytery in this particular, and take ſuch meaſures as in your wiſdom and brotherly love ſhall appear moſt effectual to eſtabliſh and preſerve that harmony, good underſtanding, and Chriſtian intercourſe, which have heretofore ſubſiſted between the church of Scotland and the general ſynod of Ulſter."——The ſynod's letter having been read, the aſſembly recommended it to all preſbyteries, carefully to avoid doing any thing that ſhall tend to diſturb the peace and union of the ſynod of Ulſter; and appointed the moderator to write a letter to the moderator of that ſynod, expreſſing their reſolution to preſerve the peace and union of the ſynod, as far as lies in their power.

Dr Webſter, who was appointed by the aſſembly 1778 their commiſſioner for obtaining a new act of parliament relating to the widows fund [40. 269.], (and to whom the truſtees of that fund joined Dr Macknight, another of the miniſters of Edinburgh, as their commiſſioner), reported, that the act was paſſed, ſo that there now ſubſiſts but one ſtatute reſpecting the fund, the two former acts being repealed; that the new act puts the fund upon ſuch a ſolid and permanent foundation that I flatter myſelf (ſaid he) there is good reaſon to believe it will in all time coming anſwer its original deſign of ſupporting the widow and fatherleſs. "I cannot conclude (continued he) without informing the aſſembly with what chearfulneſs the Lord Chancellor, the Speaker of the Houſe of Commons, his Majeſty's miniſters, and the other members of parliament in both Houſes, eſpecially the noblemen and gentlemen from this country, gave their ſanction and hearty concurrence in enacting the above-mentioned ſtatute. The kind offices of Mr Dundas of Caſtlecary, who, in the abſence of the Lord Advocate for Scotland, conducted the bill through the Houſe of Commons, where it originated, calls for particular notice; and I muſt by no means omit to mention how much we are indebted to the goodneſs of the Earl of Dalhouſie, his Majeſty's High Commiſſioner to this Aſſembly, in devoting ſo much time and attention, for carrying the bill through the Houſe of Lords." Two copies of the act, he ſaid, ſhould be ſent to every

preſbytery

presbytery and university; and it should be printed in octavo, and sold at so small a price that every contributor might furnish himself with a copy. The report was ordered to be recorded. On a motion by Principal Robertson, which was unanimously agreed to, the moderator gave the thanks of the assembly to Dr Webster for the care and attention with which he had executed this important business; and also to his Grace the Commissioner, for the assistance which he had been pleased to grant in carrying it on; and he was appointed likewise to express their thanks to Mr Dundas of Castlecary for his attention in that affair.

In the report of the trustees of the widows fund to this assembly, because it will be some time before the act can be printed, five particulars contained in it are mentioned, viz. "1. That any annuitant who shall marry a contributor, will henceforth retain the half of her annuity till the capital of L. 100,000 is made up, and her full annuity after the same is completed. 2. That the loans of L. 30 to intrant contributors are now discontinued. 3. That any contributor who has the loan of L. 30, may repay the same at any term of Candlemas or Whitsunday, upon giving the collector three months previous notice. 4. That the rates due out of vacant benefices and salaries are now payable to the collector, with legal interest, in the manner specified by the new statute. 5. That to prevent in future the undue methods whereby persons obtained, in several instances, payment of the annuities of widows, without proper evidence of their having survived the term when they were due, the trustees clerk is not to issue the warrants for their payment, until the certificate referred to in the said warrants is produced to him."

On petitions for Mr James Lawson student in divinity [40. 275.], appealing from a sentence of May 4. current of the presbytery of Auchterarder, and for that presbytery, the assembly remitted the cause to the presbytery of Auchterarder, and appointed them to take Mr Lawson upon trials before the meeting of next assembly; and in case any objections are offered to his discourses, or to his conduct, they shall give him an opportunity of being heard on these objections before passing any judgement upon them.

Saturday, May 29. It having been the practice for a course of years past, to write out six copies of the annual proceedings or register of assembly, to be reposited in the different universities, &c. which occasioned a considerable expence; and looking upon it now as unnecessary to have so many copies, the assembly appointed, that in future only two copies of the said register be yearly made out, one for the university of St Andrew's, and the other to remain in the office.

On report of a committee appointed to consider an overture relating to chapels of ease, the assembly appointed a committee of twelve ministers and six ruling-elders, to prepare an overture on that subject, to be laid before next assembly.

The report of a committee appointed to consider an overture concerning new erections, was given in, agreed to, and a copy of it ordered to be put into the hands of the Commissioner; by which his Grace is requested to use his good offices towards obtaining such an alteration in the grant for the royal bounty, as may authorise the assembly to apply part thereof towards making such erections.

Monday, May 31. The assembly renewed the committees on new erections and on the window-tax.

On report of a committee to whom a petition of Mr James Dickson, printer for the church, had been referred, the assembly resolved, that in place of taking 100 copies of the acts of assembly from the printer, that they should for the future take 200 copies annually, viz. one for the moderator and one for the clerk of each presbytery, and that a copy should also be delivered annually to each synod and university, and for the Advocates library: and to prevent expence to the fund, it was ordered, that the acts shall for the future be left at the Society-hall; and presbyteries, synods, and universities, are desired to send for their copies on or before the first day of December annually; on failure of which, the copies will be sent by post at their expence; and when they send for their copies, they are to send receipts, that the clerks may have evidence of the delivery of the copies.

The assembly was concluded in the usual manner, and the next assembly is appointed to be held, in the same place, upon Thursday, May 25. 1780.

MAR-

Marriages.

Jan. 24. At Barbadoes, the Hon. Edward Hay, Eſq; governor of that iſland, to Miſs Barnwell.

April 10. At New York, Lord Cathcart, to Miſs Elliot, daughter of Andrew Elliot, Eſq; ſuperintendant-general of the police of that province.

29. James Baillie, Eſq; lately from Calcutta, to Miſs Helena Douglas, daughter of Charles Aytoun Douglas of Kinglaſſie, Eſq;

May 21. At London, Hugh Baron Percy, ſon of the Duke of Northumberland, to Miſs Frances Julia Burrel, ſiſter of the Dutcheſs of Hamilton, and alſo of the lady of Lord Algernon Percy. [166.]

22. The Earl of Harrington, to Miſs Fleming, a lady with an independent fortune of 100,000 l.

Births.

"*Antwerp*, *April* 27. We hear from Zomergen in the Auſtrian Flanders, that the wife of Martin Sierens was delivered, on the 20th inſtant, of five children, three girls and two boys. The girls died ſoon after they were born; but the boys, who have been baptized, are ſtill living and well, as is the mother alſo. This extraordinary fact is atteſted by Mr Vergaurven, the curate of the pariſh."

May 1. At London, the Marchioneſs of Granby, of a ſon.

8. At Edinburgh, the lady of James Townſhend Oſwald, Eſq; of Dunnikier, of a ſon.

Deaths.

Feb. 1. In the province of Georgia, George Munro of Culcairn, Eſq; captain in the 71ſt regiment.

5. In the province of Georgia, Dr Trail, where he practiſed phyſic for ſeveral years.

7. At Mornſendue, Granada, William Agnew, Eſq; only brother of Nathaniel Agnew of Ochiltree, Eſq;

April 24. At Florence, aged 108, Maria Dominica Philipps Giali.

28. At Maxwelton, Sir Robert Laurie of Maxwelton, Bt. He is ſucceeded by his ſon, Lt-Col. Robert Laurie, of the 19th light dragoons.

29. At Addington, in Kent, William Parry, Eſq; Admiral of the Blue.

30. At London, the only daughter of Lord Algernon Percy.

At Keith, Alexander Forſyth, a ſhoemaker, aged 109. He retained his health and ſenſes till within a few days of his death.

May 4. At Dalkeith, the Hon. Mrs Vere Bothwell, relict of Mr Francis Wauchope of Caickmuir, Advocate.

7. At his houſe in Airſhire, John Reid, Eſq; of Scabank.

10. At Newington, aged 107, Mr Oakes, formerly a tobacco-merchant in London.

10. At Corſtorphine, Mrs Mary Barclay, relict of John Gordon, Eſq; of Buthlaw, Advocate.

11. At Edinburgh, Mrs Anne Stirling, widow of John Erſkine of Carnock, Eſq; Advocate.

11. At Alrthry, Mrs Haldane, relict of Robert Haldane, Eſq; of Gleneagles.

11. At Edinburgh, Mr John Balfour, ſurgeon in that city.

12. Mr James Carlyle, ſon of Mr John Carlyle merchant in Glaſgow. He was viewing a newly-erected mill; and, ſtanding too near the wheel, it caught hold of him, and inſtantly cruſhed him to death.

18. Mrs Eliſabeth Balcarras Hay, ſpouſe of Mr William Barclay, ſecretary to the board of annexed eſtates.

20. At Edinburgh, Archibald Stewart of Stewarthall, Eſq;

20. In Rotherhithe workhouſe, Mary Longton, aged 108.

21. At his houſe on Epping foreſt, aged 101, Mr Wilbraham, formerly page to Q. Anne.

At Idridge-Hay, Derbyſhire, James Simpſon, in the 114th year of his age.

24. At Saltonhall, Eaſt Lothian, Andrew Fletcher of Salton, Eſq; Auditor of Exchequer in Scotland.

24. At Hoxton, raving mad, Mrs Broxell, a widow lady, who was bit a ſhort time before by a favourite cat.

24. At Edinburgh, Mr Simon Fraſer, captain of the tolbooth.

26. At Quarry-holes, Mrs Agnes Mouat, ſpouſe of Robert Rutherford, Eſq;

27. At Edinburgh, in an advanced age, Mr Robert Hunter, profeſſor of Greek in the univerſity of Edinburgh. [35. 112.]

27. Mr Humphrey Fulton, of Paiſley, who introduced the ſilk-manufacture into Scotland. [268.]

29. At Knightſbridge, aged 84, John Manners, Duke of Rutland, Marquis of Granby, Lord Lieutenant and Cuſtos Rotulorum of Leiceſterſhire, P. C. and K. G. a Governor of the Charter-houſe. His Grace married Bridget, only daughter and heir of Robert Sutton, Lord Lexington; by whom he had iſſue: 1. John Marquis of Granby, who, in 1759, was appointed commander in chief of all the Britiſh forces ſerving in Germany, in the room of Lord George Sackville [21. 445.], and died in 1770 [32. 575.]; 2. Lord Robert Sutton, who died ſome years before the ſaid Marquis; and 3. Lord George Sutton, now living. — His Grace was deſcended, in a direct line, from the family De Albini, Lords of Belvoir; which ancient ſtock hath, in its progreſſive courſe, by its ſeveral intermarriages, enriched and united itſelf with the families

ſimilies of Seymour, Ruſſel, Noel, Montague, Roos, and Plantagenet. His Grace's honours and eſtates deſcend to his grandſon Charles Marquis of Granby, member for the univerſity of Cambridge, who is the eldeſt ſon of the late Marquis, by the Lady Frances Seymour, daughter of Charles Duke of Somerſet.

31. At his houſe of Newington, James Hay, Eſq; ſon of the deceaſed Lord William Hay of Newhall.

PREFERMENTS.

From the London Gazette.

The King has been pleaſed,

April 30. to confer the honour of Knighthood on George Munro, Eſq; of Poyntzfield, in the county of Cromarty, and James Duff, Eſq; of Kenſtair, in Aberdeenſhire.

May 1. to appoint Mr Alexander Tait [one of the ſix ordinary clerks of ſeſſion] to be Clerk of the King's Proceſſes in Scotland, in the room of Mr Thomas Gibſon, deceaſed.

—to preſent the Rev. Mr Donald Mackinnon to the church and pariſh of Strath, otherwiſe Strathordill, in the preſbytery of Sky, and county of Inverneſs, vacant by the death of Mr Donald Nicolſon.

—4. to appoint Dr Robert Hamilton to be one of the Profeſſors of Philoſophy in the Mariſchal college of Aberdeen, on the reſignation of Mr Patrick Copland.

—to grant to Thomas and Robert Belſches, Eſqs, the office of Preſenter of Signatures in the Exchequer in Scotland.

—5. to confer the honour of Knighthood on Thomas Fowke, Eſq; of Loweſby-hall, Leiceſterſhire, Charles Gould, Eſq; of Ealing, in Middleſex, and Hew Dalrymple, Eſq; of the Athol regiment of highlanders.

—10. to recommend to the dean and chapter of Lincoln, Thomas Thurlow, D. D. Dean of Rocheſter, to be elected Biſhop of that ſee, void by the death of Dr John Greene.

—12. to appoint Maj.-Gen. James Robertſon to be Captain-General and Governor in Chief of the province of New York, in America, in the room of Maj.-Gen. Tryon.

From other papers, &c.

Francis North, Eſq; ſon of Lord North, to be one of the five Under-Searchers in the port of London, in the room of Francis Schutz, Eſq; deceaſed.

James Townſhend Oſwald, Eſq; member for Fifeſhire, to be Auditor of the Exchequer in Scotland, in the room of Andrew Fletcher of Salton, Eſq; deceaſed, which vacates his ſeat in parliament.

War-office, April 27. 1779.

3d dragoon-guards: Capt. William Viſc. Fielding, of 10th dragoons, to be Captain of a Troop, vice Richard Grant.

20th light dragoons: Lieut. Peter Boiſſier, of the 11th dragoons, to be Captain-Lieutenant, vice George Dauber, who declines.

21ſt light dragoons: Capt. John Floyd, of 15th dragoons, to be Major, vice Thomas Mallack, who declines.

War-office, May 1.

10th dragoons: Capt.-Lieut. William Newton to be Captain of a Troop, vice Robert Maſon Lewis; and Lieut. Harry Portal to be Captain-Lieutenant, vice William Newton.

1ſt reg. of foot-guards: Maj.-Gen. William Thornton to be Firſt Major, vice William Style; Col. Weſt Hyde to be Second Major, vice William Thornton; Col. Sir John Wrotteſley to be Third Major, vice Weſt Hyde; Lt-Col. Frederick Madan to be Captain of a Company, vice Sir John Wrotteſley; and Capt. Robert Hampden Pye to be Captain-Lieutenant, vice Frederick Madan.

Royals, 1ſt bat.: Lieut. James Colquhoun to be Captain, vice William Cary.

5th foot: Lieut. Benjamin Hill to be Captain, vice William Battier.

15th foot: Lieut. Mungo Paumier, of 46th foot, to be Captain-Lieutenant, vice Conway Courtenay.

27th foot: Hoſpital Mate John Hadfield to be Surgeon, vice James Gowdey.

28th foot: Capt.-Lieut. Robert Nugent to be Captain, vice John Hay; Lieut. William Hewetſon, of 27th foot, to be Captain-Lieutenant, vice Robert Nugent; and Capt.-Lieut. John Freeman, of 46th foot, to be Captain-Lieutenant, vice William Hewetſon.

46th foot: Capt.-Lieut. Bryan Bell to be Captain, vice William Chetwynd; and Lieut. John Freeman, of 28th foot, to be Captain-Lieutenant, vice Bryan Bell.

49th foot: Capt.-Lieut. Richard O'Meara to be Captain, vice Edward Cadogan; and Lieut. Edward Chandler, of 46th foot, to be Captain-Lieutenant, vice Richard O'Meara.

54th foot: Lieut. George Lane to be Captain, vice St John Pierce Lacey, one of the Additional Captains of that regiment.

60th foot, 2d bat.: Surgeon's Mate George Clarke to be Surgeon, vice William Notter.

75th foot: Maj.-Gen. George Morriſon to be Colonel, vice William Picton.

War-office, May 4.

2d troop of horſe grenadier-guards: Robert Duckenfield, Gent. is appointed to be Surgeon, vice John Birch.

War-office, May 15.

3d dragoons: Capt. William Price, of 7th dragoons, to be Major, vice Thomas Clarke.

20th light dragoons: Maj. Francis Edward Gwynne, of 16th dragoons, to be Lieutenant Colonel, vice John Robins.

2d

2d foot: Lieut. Charles Duperré to be Captain, vice Bernard Shaw.

6th foot: Lt Col. Charles Home, of 79th foot, to be Lieutenant Colonel, vice Maurice Cane.

Capt. William Gunn, of 6th dragoons, to be Major of Brigade, vice Richard Grant.

War-office, May 29.

2d dragoon guards: Lieut. Peter Boiffier, of 11th dragoons, to be Captain-Lieutenant, vice John Morris.

1ſt dragoons: Capt.-Lieut. James Wilkie to be Captain of a Troop, vice Thomas Garth; and Lieut. James Chriſtie, of 2d dragoons, to be Captain-Lieutenant, vice James Wilkie.

6th dragoons: Lieut. John Trotter, of 1ſt dragoon-guards, to be Captain Lieutenant, vice Robert Hewetſon.

7th dragoons: Capt.-Lieut. William Bertram to be Captain, vice William Price; and Lieut. Sir Nathaniel Dukenfield to be Captain-Lieutenant, vice William Bertram.

15th light dragoons: Lieut. William Grey, of 2d dragoons, to be Captain-Lieutenant, vice John Pritchard.

16th light dragoons: Lieut. Waſtel Briſcoe to be Captain-Lieutenant, vice Thomas Pidcock.

19th light dragoons: Capt.-Lieut. John Morris, of 2d dragoon guards, to be Captain of a Troop.

20th light dragoons: Capt.-Lieut. John Pritchard, of 15th dragoons, to be Captain of a Troop; Lieut. Simon Wilmot, of 16th dragoons, to be Captain-Lieutenant, vice Peter Boiffier; and John Bulman, Clerk, to be Chaplain.

21ſt light dragoons: Capt.-Lieut. Robert Hewetſon, of 6th dragoons, to be Captain of a Troop; Capt.-Lieut. Thomas Pidcock, of 16th dragoons, to be Captain of a Troop; and John Hiſcox, Clerk, to be Chaplain.

2d foot: Lieut. G. A. Chetwynd to be Captain, vice James Ball; and Lieut. Thomas Fane, of 2d battalion of the 1ſt foot, to be Captain, vice Michael Nickſon.

41ſt foot, (invalids): Lieut. John Weir, of 43d foot, to be Captain, vice Robert Heath.

52d foot: Maj. William Ogle, from half-pay, to be Major, vice Francis Richmond Humphreys.

75th foot: Lieut. Francis Pierſon, of 36th foot, to be Captain, vice Charles Gunter Legge.

79th foot: Maj. Francis Richmond Humphreys, of 52d foot, to be Lieutenant Colonel, vice Charles Horne.

Southern Fencible men: Lieut. John Plenderleath to be Captain Lieutenant, vice James Mansfield.

Capt. William Cochran, of 23d foot, to be Captain of an Independent Company of Invalids in North Britain, vice Thomas Gilbert.

Lt-Gen. Sir William Draper to be Lieutenant-Governor of the iſland of Minorca, vice James Murray.

Lieut. John Arbuthnot, of the 4th foot, to be Captain of Foot in the Army.

Capt. John Arbuthnot, of the 4th foot, to be Governor of North Yarmouth, vice Sir William Draper.

Lieut. William Stewart, of the Invalids at Landguard Fort, to be Captain of Sandown Port, vice John Wogan.

[*To be continued.*]

Prices of grain at Haddington, June 11. 1779.

	Beſt.	*Second.*	*Third.*
Wheat	17s. 3d.	16s. 9d.	15s. 0d.
Bear,	13s. 6d.	12s. 10d.	11s. 6d.
Oats,	12s. 9d.	11s. 6d.	10s. 9d.
Peaſe,	9s. 0d.	8s. 0d.	7s. 6d.

Edinburgh, June 15. Oat-meal, 10d. Bear-meal, 6d. Peaſe-meal, 6d.

Burials in the Grayfriars church-yard, Edinburgh, in May 1779.

Males 30 } 66. Decreaſed 2.
Females 36 }

Age.	No	Diſeaſes.	No
Under 2	21	Aged —	9
Between 2 & 5	8	Aſthma —	2
5 & 10	5	Bowelhive —	3
10 & 20	4	Chincough —	1
20 & 30	3	Conſumption —	18
30 & 40	3	Fever —	12
40 & 50	4	Meaſles —	4
50 & 60	5	Small pox —	6
60 & 70	6	Stillborn —	3
70 & 80	6	Suddenly —	2
80 & 90	1	Teething —	6
90 & 100	0		

PRICES of STOCKS.

May 14.

3 p. cent. Conſ. 62 3 4ths
India bonds, 26 s. a 28 s. pr.
Navy and Vict. Bills, 7 3 4ths p. cent.
Scrip 63 3 8ths
Annuities 1778, 12 5 8ths years purchaſe
Lottery Tickets 14 l. 4 s. 6 d.

The reſt ſhut.

May 29.

Bank ſtock 112 1 4th a 1 half
India ſtock 151 1 half
3 p. cent. Conſ. 62 7 8ths a 63
India bonds, 34 s. pr.
Navy and Vict. Bills, 7 7 8ths p. cent.
Scrip 63 1 half
Annuities 1778, 12 5 8ths a 11-16
Lottery Tickets 14 l. 3 s.

The reſt ſhut.